

Permit

Number: _____

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DEPARTMENT OF THE ARMY PERMIT

Permittee: Florida Department of Transportation, District 5
Attn: Patrick Muench
719 South Woodland Blvd.
DeLand, Florida 32720

Florida Department of
Transportation

NOV 12 2003

Permit No: SAJ-2007-6618 (IP-AWP)

Design
Division

Issuing Office: U.S. Army Engineer District, Jacksonville

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: The direct placement of clean fill material into 1.65 acres of waters of the United States and 4.66 acres of temporary impacts to waters of the United States, wetlands and surface waters, for the construction of the Central Florida Commuter Rail Transit Phase 1 project. Impacts will include improvements to the existing trestle bridge which traverses the St. Johns River parallel to Interstate 4. The project is proposed as an alternative mode of transportation to improve the mobility of travelers along Interstate 4 (I-4) and other major roadways within the Orlando Metropolitan Region. The work described above is to be completed in accordance with the 5 attachments affixed at the end of this permit instrument.

Project Location: The proposed project is located along the existing CSX rail line extending from Saxon Blvd. south to the Orlando Amtrak Station. The project is located within Sections 9, 16, 21 & 35, Township 19 South, Range 30 East, Section 25, Township 21 South, Range 29 East, Sections 2, 3, 9, 10, 16, 20, 21, 29, & 32, Township 20 South, Range 30 East, Sections 7, 18 & 19, Township 21 South, Range 30 East, and Sections 2, 11, 13, 14, 24 & 25, Township 23 South, Range 29 East in Volusia, Seminole and Orange County, Florida. The rail line crosses the St. Johns River, Lake Mobile, and a tributary of Little Lake Conway. The Corps has determined wetlands 120, 122, and 412 are

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not jurisdictional waters of the United States. An approved jurisdictional determination was issued to the applicant on April 2, 2008.

Directions to site: From Orlando take Interstate 4 to U.S. Hwy 17-92 in Sanford. Proceed North on U.S. Hwy 17-92 to Ft. Florida Road and the railroad crossing. The project then proceeds south along the rail line to Orlando.

Latitude & Longitude: Latitude 28° 38' 54.9594" North
Longitude 81° 21' 27.7194" West

Permit Conditions

General Conditions:

1. The time limit for completing the work authorized ends on **November 4, 2013**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature and the mailing address of the new

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owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. The Permittee agrees to follow the STANDARD PROTECTION MEASURES FOR THE EASTERN INDIGO SNAKE (Attachment 2) during construction.

2. The permittee agrees to follow the *Standard Manatee Conditions for In-Water Work* (July 2005) during all in water work activities. (Attachment 3)

3. The permittee agrees to the placement of mooring fenders on barges and other large vessels such that, when moored together, the fenders provide a minimum stand-off distance, at and below the water line, of 4 feet under maximum compression.

4. In accordance with the Memorandum of Understanding between the St. Johns River Water Management District (SJRWMD) and the United States Army Corps of Engineers, Jacksonville District signed October 16, 2007 and October 9, 2007 respectively, the SJRWMD shall submit an annual status report and five year update of the mitigation described in the SJRWMD 2008 FDOT Mitigation Plan.

5. **Mitigation Credit Deduction:** Within 30 days from the date of initiating the authorized work or 12 months from the effective date of this permit, whichever first occurs, the Permittee shall provide verification to the Corps that 0.6 federal credits have been deducted from the Lake Monroe

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Mitigation Bank (SAJ-1995-1994). The required verification shall reference this project's permit number (SAJ-2007-6618).

6. If the mitigation bank is found to be in non-compliance, the compensatory mitigation will be deemed unsuccessful and the Permittee shall submit alternate compensatory mitigation proposal to the Corps which fully offsets the functional loss that occurred as a result of the project. The alternate compensatory mitigation proposal may be required to include additional mitigation to compensate for the temporal loss of wetland function associated with the unsuccessful compensatory mitigation activities. The Corps reserves the right to fully evaluate, amend, and approve or reject the alternate compensatory mitigation proposal. Within 120 days of Corps approval, the Permittee will complete the alternate compensatory mitigation proposal.

7. **Reporting Address:** All reports, documentation and correspondence required by the conditions of this permit shall be submitted to the following address: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232. The Permittee shall reference this permit number, SAJ-2007-6618(IP-AWP), on all submittals.

8. **Commencement Notification:** Within 10 days from the date of initiating the authorized work, the Permittee shall provide to the Corps a written notification of the date of commencement of work authorized by this permit.

9. **Erosion Control:** Prior to the initiation of any work authorized by this permit, the Permittee shall install erosion control measures along the perimeter of all work areas to prevent the displacement of fill material. Immediately after completion of the final grading of the land surface, all slopes, land surfaces, and filled areas adjacent to wetlands shall be stabilized using sod, degradable mats, or a combination of similar stabilizing materials to prevent erosion. The erosion control measures shall remain in place and be maintained until all authorized work has been completed and the site has been stabilized.

10. **As-Builts:** Within 60 days of completion of the authorized work or at the expiration of the construction window of this

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permit, whichever occurs first, the Permittee shall submit as-built drawings of the authorized work and a completed As-Built Certification Form (Attachment 5) to the Corps. The drawings shall be signed and sealed by a registered professional engineer and include the following:

a. A plan view drawing of the location of the authorized work footprint (as shown on the permit drawings) with an overlay of the work as constructed in the same scale as the attached permit drawings (8½-inch by 11-inch). The drawing should show all "earth disturbance," including wetland impacts, water management structures, and any on-site mitigation areas.

b. List any deviations between the work authorized by this permit and the work as constructed. In the event that the completed work deviates, in any manner, from the authorized work, describe on the As-Built Certification Form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the as-built drawings any deviations that have been listed. Please note that the depiction and/or description of any deviations on the drawings and/or As-Built Certification Form does not constitute approval of any deviations by the U.S. Army Corps of Engineers.

c. The Department of the Army Permit number.

d. Include pre- and post-construction aerial photographs of the project site, if available.

11. **Fill Material:** The Permittee shall use only clean fill material for this project. The fill material shall be free from items such as trash, debris, automotive parts, asphalt, construction materials, concrete block with exposed reinforcement bars, and soils contaminated with any toxic substance, in toxic amounts in accordance with Section 307 of the Clean Water Act.

12. **Performance Standards:** Upon completion of construction activities the Permittee agrees to restore all temporarily impacted wetland areas to pre-existing contour and ensure successful regeneration of wetland vegetation. To meet the objectives of this permit condition, the Permittee shall achieve the following performance standards:

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a. At least 80 percent cover by appropriate wetland species (i.e., FAC or wetter).

b. Less than 5 percent cover of Category I and II invasive exotic plant species, pursuant to the most current list established by the Florida Exotic Pest Plant Council at <http://www.fleppc.org>, and shall include the nuisance species primrose willow (*Ludwigia peruviana*), dogfennel (*Eupatorium capillifolium*), Bermudagrass (*Cynodon* spp.), Bahiagrass (*Paspalum notatum*), and cattail (*Typha* spp.).

c. Less than 20 percent mortality of planted wetland species.

The Permittee shall achieve the above performance standards by the end of the 5-year monitoring period, with no maintenance during the 5th year of monitoring.

13. Monitoring and Reporting Timeframes: To show compliance with the performance standards the Permittee shall complete the following:

a. Monitor the temporarily impacted wetlands and submit annual monitoring reports to the Corps until released in accordance with the **Mitigation Release** Special Condition of this permit.

14. Mitigation Release: The Permittee's responsibility to complete the required compensatory mitigation, as set forth in Special Condition 12 of this permit will not be considered fulfilled until mitigation success has been demonstrated and written verification has been provided by the Corps. A mitigation area which has been released will require no further monitoring or reporting by the Permittee; however the Permittee, Successors and subsequent Transferees remain perpetually responsible to ensure that the mitigation area(s) remain in a condition appropriate to offset the authorized impacts in accordance with General Condition 2 of this permit.

15. Reporting Format: Annual monitoring reports shall follow a 10-page maximum report format for assessing compensatory mitigation sites. The Permittee shall submit all documentation

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to the Corps on 8½-inch by 11-inch paper, and include the following:

a. Project Overview (1 Page):

- (1) Department of the Army Permit Number
- (2) Name and contact information of Permittee and consultant
- (3) Name of party responsible for conducting the monitoring and the date(s) the inspection was conducted
- (4) A summary paragraph defining the purpose for the approved project, acreage and type of aquatic resources impacted, and mitigation acreage and type of aquatic resources authorized to compensate for the aquatic impacts
- (5) Written description on the location and any identifiable information to locate the site perimeter(s)
- (6) Directions to the mitigation site (from a major highway)
- (7) Dates compensatory mitigation commenced and/or was completed
- (8) Short statement on whether the performance standards are being met
- (9) Dates of any recent corrective or maintenance activities conducted since the previous report submission
- (10) Specific recommendations for any additional corrective or remedial actions.

b. Requirements (1 page): List the monitoring requirements and performance standards, as specified in the approved mitigation plan and special conditions of this permit, and evaluate whether the compensatory mitigation project site is successfully achieving the approved performance standards or trending towards success.

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c. Summary Data (maximum of 4 pages): Data shall be provided to substantiate the success and/or potential challenges associated with the compensatory mitigation project. Any photo documentation shall be dated and clearly labeled with the direction from which the photo was taken, and be identified on the appropriate maps.

d. Maps (maximum of 3 pages): Maps shall be provided to show the location of the compensatory mitigation site relative to other landscape features, habitat types, locations of photographic reference points, transects, sampling data points, and/or other features pertinent to the mitigation plan.

e. Conclusions (1 page): A general statement shall be included describing the conditions of the compensatory mitigation project. If performance standards are not being met, a brief explanation of the difficulties and potential remedial actions proposed by the Permittee, including a timetable, shall be provided.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

(X) Section 10 of the Rivers and Harbors Act of 1899
(33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

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c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal projects.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

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b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

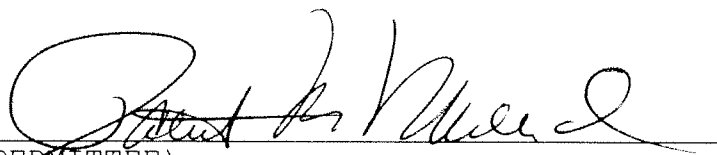
6. Extensions: General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

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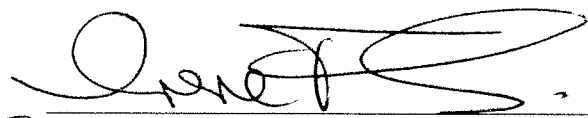
Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.


(PERMITTEE)

11/12/08
(DATE)

Patrick M. Muench
(PERMITTEE NAME-PRINTED)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.


Fu (DISTRICT ENGINEER)
Paul L. Grosskruger
Colonel, U.S. Army
District Commander

NOV 17 2008
(DATE)

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When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFeree-SIGNATURE)

(DATE)

(NAME-PRINTED)

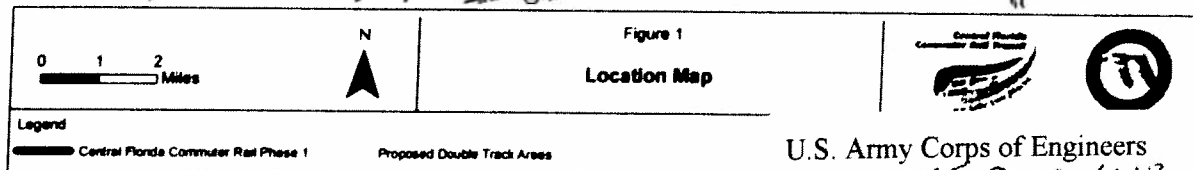
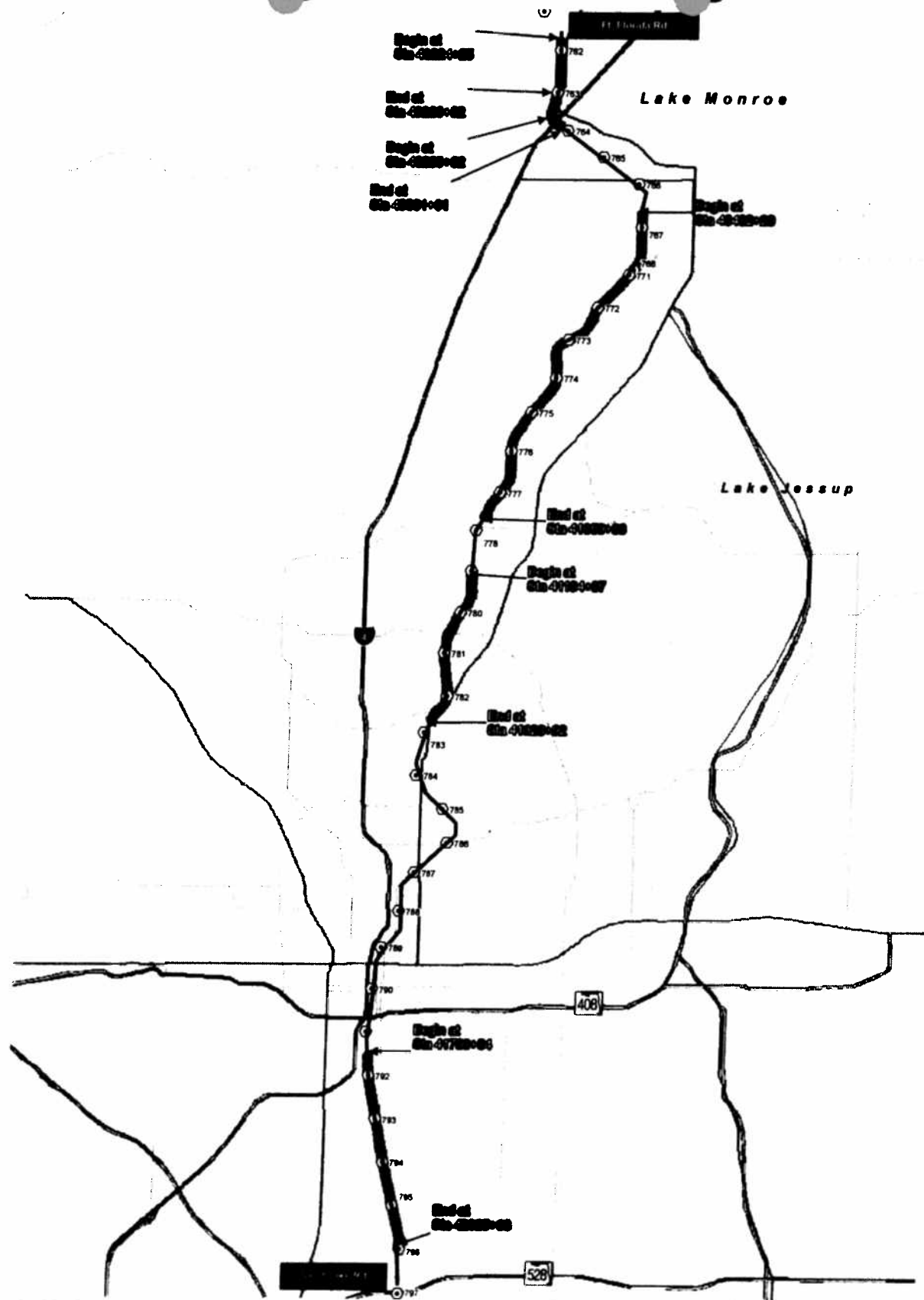
(ADDRESS)

(CITY, STATE, AND ZIP CODE)

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***Attachments to Department of the Army
Permit Number SAJ-2007-6618(IP-AWP)***


1. PERMIT DRAWINGS: 36 pages, dated 2/27/08
2. STANDARD PROTECTION MEASURES FOR THE EASTERN INDIGO SNAKE;
Page 1
3. STANDARD MANATEE CONDITIONS FOR IN-WATER WORK (July 2005);
Page 3
4. WATER QUALITY CERTIFICATION: Specific Conditions of the
water quality permit/certification in accordance with General
Condition number 5 on page 3 of this DA permit. 7 pages.
5. AS-BUILT CERTIFICATION BY PROFESSIONAL ENGINEER: 1 page



OKSONVILLE DIST.

17000

- (CONT.)
- MATERIALS OF SOIL OR QUALITY OF DISCHARGE (CONT.)
- MASSACHUSETTS FINE SAND IS CHARACTERIZED AS POORLY DRAINED SOIL AND IS GENERALLY CLASSIFIED AS A-3 SELECT MATERIAL. THE MAZDA FINE SAND IS CHARACTERIZED AS POORLY DRAINED SOIL AND IS GENERALLY CLASSIFIED AS A-3 SELECT MATERIAL. TANAKES & WILLIAMS FINE SAND ARE CHARACTERIZED AS MODERATELY WELL DRAINED SOIL AND IS GENERALLY CLASSIFIED AS A-3 ON A-8-4 SELECT MATERIAL. PROCTER & KERRY LOOSE SAND IS CHARACTERIZED AS MODERATELY WELL DRAINED SOIL AND IS GENERALLY CLASSIFIED AS A-3 SELECT MATERIAL. ASTORIA-WYOMIA FINE SAND IS A MODERATELY DRAINAGE AREA AND AVERAGE SLOPE OF CONSTRUCTION PLANS.
- ESTIMATED DRAINAGE AREA FOR EACH OUTFALL:
- | ST. JOHNS RIVER BASIN | AREA AC |
|--|----------|
| LAKE WAVER | 59.07 AC |
| LAKE WAVEY | 29.22 AC |
| DEFOREST LAKE OUTLET | 6.02 AC |
| SOLDIER CREEK REACH | 2.75 AC |
| GEE CREEK | 91.54 AC |
| CHAMBER NOOST OUTLET | 5.87 AC |
| LAKE STEVEN | 6.74 AC |
| LAKE SEANNAH | 3.90 AC |
| HONELL CREEK | 15.32 AC |
| BROOK CREEK | 1.06 AC |
| (c) SITE MAP, INCLUDED WITH THE ROADWAY SHEETS RECEIVING WATERS: | 51.59 AC |
| (d) DRAINAGE MAP, INCLUDED WITH THE ROADWAY SHEETS RECEIVING WATERS: | 2.002 |
- THE ON-SITE RUNOFF IS CONVERTED THROUGH PROPOSED TRACT SIDE SHALES TO EXISTING TRACT SIDE SHALES AND SIDE DRAINS TO MAINTAIN EXISTING DRAINAGE PATTERNS. STORMWATER RUNOFF FLOWS THROUGH A SERIES OF BASINS BEGINNING WITH THE ST. JOHNS RIVER THEN THROUGH LAKEWAVER PARK DITCHES AND CHAMBERS NOOST OUTLET, SOLDIER CREEK REACH, GEE CREEK, CHAMBERS NOOST OUTLET, LAKE SEANNAH, AND HONELL CREEK. THE LAST BASIN TO ACCOUNT FOR FLOW IS BROOK CREEK. THE EXISTING DRAINAGE PATTERNS OF FLOW FOR THE OFF-SITE FLOW WILL NOT BE MODIFIED ON AFFECTED BY THE ADDITION OF THE TRACT AND ALIGNMENT IMPROVEMENTS.
- THE CONTRACTOR SHALL TAKE ALL REASONABLE MEASURES TO PREVENT UNAUTHORIZED MATERIALS FROM ENTERING THE WATERWAY.
- THE ONLY OUTFALL THAT IS SO(14) LISTED WATERS FOR TOTAL SUSPENDED SOLIDS (TSS), TURBIDITY, AND SETTLEABLE SOLIDS IS THE ST. JOHNS RIVER.
- WETLAND IMPACTS ARE LIMITED TO THE AREAS DESCRIBED IN THE APPROVED PERMITS FOR THE PROJECT AREAS SHOWN FOR WETLAND AND OSW INCLUDE AREAS WITHIN ROW. CONSTRUCTION IMPACTS AND TEMPORARY CONSTRUCTION IMPACTS AND MAY INCLUDE AREAS OUTSIDE ROW. TEMPORARY CONSTRUCTION IMPACT AREAS LOCATED SOLELY OUTSIDE ROW ARE IDENTIFIED AS TEMPORARY IMPACT AREAS WITH NO ADDITIONAL INFORMATION.
- DESCRIPTION OF STORM WATER MANAGEMENT: (EXISTING/PROPOSED)
- (a) PRESENTLY, EXISTING DRAINAGE FLOWS ARE TYPICALLY CAPTURED BY TRACT SIDE SHALES AND GROUES DRAINS WHICH ARE ROUTED TO ADJACENT WETLANDS. FOR PROPOSED CONDITIONS, THE SIDE SHALES ARE MANAGED BY TRACT SIDE SHALES AND THE EXISTING CROSS DRAINS (SOME HAVE BEEN EXTENDED TO ACCORD WITH THE ADDITIONAL TRACT) THAT DIRECT THE STORM WATER IN THE SAME PATTERNS AS THE EXISTING CONDITION. THE EXISTING DRAINAGE PATTERNS FOR THE OFF-SITE FLOW WILL NOT BE MODIFIED OR AFFECTED BY THE ADDITION OF THE TRACT AND ALIGNMENT IMPROVEMENTS.
- (b) THE "SITE MINOR SHOULD BE DIVERTED AWAY ON THROUGH THE CONSTRUCTION AREA, IF POSSIBLE. THIS ADDITIONAL FLOW, IF NOT DIVERTED, CAN ADD VOLUME AND SIZE TO STRUCTURAL PRACTICES REQUIRED FOR MORE FREQUENT MAINTENANCE AND LIMITING EFFECTIVENESS OF EROSION AND SEDIMENT CONTROL.
- (c) THE CONTRACTOR WILL PROVIDE POLLUTION CONTROL BY IMPLEMENTING DUST CONTROL DURING ALL PHASES OF CONSTRUCTION. DUSTS WILL BE ACCUMULATED BY USING STREET OR VEHICLE SCREENERS. (d) THE STORM WATER SHALL BE CAPTURED BY ONE OF THE PERMANENT STORMWATER MANAGEMENT FACILITIES (SIDE SHALES). THE PROPOSED INITIAL PHASE OF CONSTRUCTION AND USED DURING CONSTRUCTION OF THE TRACT AS TEMPORARY SEDIMENT BASINS. THE OUTFALL STRUCTURES ARE TO BE PLOUGED.
- (e) THE CONTRACTOR SHALL TAKE ALL REASONABLE PRECAUTIONS TO PREVENT UNAUTHORIZED MATERIALS FROM ENTERING THE WATERWAYS.

DATE		REVISION		DATE		REVISION	
DESCRIPTION							
							
<p>Thomas H. Brown, Inc. 10000 Highway 19, Suite 200 Fort Lauderdale, FL 33324 Tel: (305) 467-1100 Fax: (305) 467-1101 Telex: 160000 Cable: THBROU Office: 10000 Highway 19, Suite 200 Fort Lauderdale, FL 33324 Tel: (305) 467-1100 Fax: (305) 467-1101 Telex: 160000 Cable: THBROU</p>							
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11. CONTROLS:
EROSION AND SEDIMENT CONTROLS

- (1) WATER QUALITY MONITORING SHALL BE CONDUCTED BY THE PROJECT ENGINEER UPON THE OBSERVATION THAT THE WATER QUALITY STANDARDS MAY BE VIOLATED BY THE CONSTRUCTION ACTIVITIES. MONITORING LOCATIONS SHALL BE DESIGNATED BY THE PROJECT ENGINEER. THE PROJECT ENGINEER WILL BE RESPONSIBLE FOR MONITORING ANY ACTIVITIES FOR VIOLATION OF WATER QUALITY STANDARDS AS THEY RELATE TO MINIMUM OF TWICE DAILY FOR ANY EARTHWORK ACTIVITIES WITHIN THE IMPROVEMENT AREA. MONITORING WILL BE ACCOMPLISHED BY RECORDING TURBIDITY READINGS FROM THE CENTER OF THE STREAM, ONE (1) UPSTREAM OF THE ACTIVITY AND ONE (1) DOWNSTREAM OF THE CENTER OF THE ACTIVITY. THE PROJECT RIGHT-OF-WAY. IF WATER QUALITY STANDARDS ARE VIOLATED, CONSTRUCTION SHALL BE STOPPED IMMEDIATELY AND EROSION CONTROL DEVICES REEVALUATED BY THE PROJECT REPRESENTATIVE PRIOR TO ANY CONTINUATION OF ACTIVITY. MONITORING ACTIVITIES AND TURBIDITY READINGS SHALL BE RECORDED ON THE CONSTRUCTION INSPECTION REPORT AND CONTINUED UNTIL TURBIDITY READINGS FALL BELOW AN ACCEPTABLE LEVEL (TWENTY (20) ABOVE BACKGROUND). WATER QUALITY MONITORING MAY BE CONDUCTED DURING ANY PHASE OF CONSTRUCTION AS DIRECTED BY THE PROJECT ENGINEER.
- (2) STABILIZATION MEASURES, SUCH AS PERFORMANCE SEEDING OR SEEDING OF SLOPE SLOPES SHALL BE INITIATED AS SOON AS PRACTICABLE. SEEDINGS OF THE SITE WHERE CONSTRUCTION ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED, BUT IN NO CASE SHALL THE TIME BE GREATER THAN 7 DAYS AFTER THE CONSTRUCTION ACTIVITY TEMPORARILY OR PERMANENTLY CEASES.
- (3) STRUCTURAL PRACTICES INCLUDE:
 - (a) STAKED SILT FENCES
 - (b) FLOATING TURBIDITY BARRIER
 - (c) STAKED TURBIDITY BARRIER
- (4) STAKED SILT FENCE LOCATIONS:
 - (a) STAKED SILT FENCE SHALL BE USED ALONG THE LENGTH OF THE PROJECT WHERE THE EXISTING GROUND SLOPES AWAY FROM THE RIGHT-OF-WAY OR WHERE THERE IS POTENTIAL FOR SEEDING TO BE DIRECTED OFF-SITE. STAKED SILT FENCE SHALL ALSO BE USED AS DITCH BLOCKS TO AVOID DOWNSTREAM SILTATION. STAKED SILT FENCES SHOULD ONLY BE USED IF:
 - (1) PLANTINGS OR WATERS OF THE U.S. ARE INVOLVED
 - (2) IF DISTURBED VEGETATION OUTSIDE LIMITS OF CONSTRUCTION ARE NOT ADEQUATE TO FILTER RUNOFF.
 - (b) STOCKPILE AREAS SHALL INCLUDE STAKED SILT FENCE AROUND THE PERIMETER
- (5) TURBIDITY BARRIER LOCATION:
 - (a) STAKED TURBIDITY BARRIER IS TO BE USED AT ALL OF THE EXISTING CROSS DRAINS, OUTFALLS, AND AREAS WHERE PERMANENT WATER BODIES ARE LESS THAN 3 FEET DEEP.
 - (b) ALL EROSION CONTROL DEVICES SHALL BE INSTALLED ACCORDING TO THE CONTRACT DOCUMENTS.
 - (c) ANY TEMPORARY MATERIAL USED FOR POLLUTION OR EROSION CONTROL DURING CONSTRUCTION SHALL BE REMOVED AT THE COMPLETION OF THE PROJECT AND FINAL STABILIZATION OF SOILS HAVE BEEN ACHIEVED.

11. OTHER CONTROLS:

- (1) WASTE DISPOSAL
 - (a) THE CONTRACTOR WILL PROVIDE LITTER CONTROL AND COLLECTION WITHIN THE PROJECT BOUNDARIES DURING CONSTRUCTION ACTIVITIES.
 - (b) ALL FERTILIZER AND CHEMICAL CONTAINERS SHALL BE DISPOSED OF BY THE CONTRACTOR ACCORDING TO EPA'S STANDARD PRACTICES AS DETAILED BY THE MANUFACTURER.
 - (c) NO SOLID MATERIALS, INCLUDING BUILDING AND CONSTRUCTION MATERIALS, SHALL BE DISCHARGED TO WETLANDS OR BURIED ON-SITE.
 - (d) ALL SANITARY WASTE WILL BE COLLECTED FROM PORTABLE UNITS BY A LICENSED SANITARY WASTE MANAGEMENT CONTRACTOR AS REQUIRED BY STATE REGULATIONS.

(2) OFF-SITE VEHICLE TRACKING - WILL BE CONTROLLED BY THE FOLLOWING METHODS:


- (A) LOADED HAUL TRUCKS ARE TO BE COVERED BY A TAMPALIN AT ALL TIMES
- (B) EXCESS DIRT ON ROAD WILL BE REMOVED DAILY
- (3) FEDERAL, STATE AND LOCAL REGULATIONS: PERMITS WILL BE OBTAINED FROM THE FOLLOWING AGENCIES: ARMY CORPS OF ENGINEERS, ST. JOHNS RIVER WATER MANAGEMENT DISTRICT (EPA), FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP).
- (4) NON-STORMWATER (INCLUDING SPILL REPORTING)
 - (A) THE CONTRACTOR WILL PROVIDE THE FOOT WITH AN EROSION CONTROL PLAN THAT WILL INCLUDE SPILL CONTAINMENT, REPORTING, AND RESPONSES. THE PLAN SHALL SPECIFY SPILL MANAGEMENT PRACTICES AND CONTAINMENT METHODS WILL BE USED TO PREVENT POTENTIAL POLLUTANTS (FUEL, LUBRICANTS, HERBICIDES, ETC.) FROM SPILLING ONTO THE SOIL OR INTO THE SURFACE WATERS. IF A SPILL DOES OCCUR, OR IF CONTAMINATED SOIL OR GROUNDWATER IS ENCOUNTERED, CONTACT RAJAD STAFFORD, DISTRICT CONTAMINATION IMPACT COORDINATOR AT (386) 943-5473.

IV. MAINTENANCE

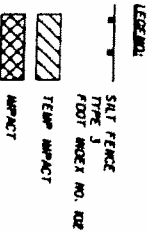
- (1) THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE AND REPAIRS OF EROSION AND SEDIMENT CONTROL DEVICES, AND REMOVAL OF EROSION AND SEDIMENT CONTROL DEVICES WHEN NOTICE OF TERMINATION IS ISSUED.
- (2) THE FOLLOWING PRACTICES WILL BE USED TO MAINTAIN EROSION AND SEDIMENT CONTROLS:
 - (A) GENERAL - ALL CONTROL MEASURES WILL BE MAINTAINED DAILY BY THE CONTRACTOR. ALL MEASURES WILL BE MAINTAINED IN GOOD WORKING ORDER. IF A REPAIR IS NECESSARY, IT WILL BE INITIATED WITHIN 24 HOURS OF NOTICE.
 - (B) STRUCTURAL PRACTICES - BUILT UP SEDIMENT WILL BE REMOVED FROM STAKED SILT FENCE AND STAKED TURBIDITY BARRIERS WHEN IT HAS REACHED ONE-HALF OF THE HEIGHT OF THE FENCE. SEEDING WILL BE INSPECTED FOR BARE SPOTS, WASHOUTS, AND WEALTHY GRASS SHALL BE REPLACED WHEN THEY HAVE SERVED THEIR USEFULNESS SO AS NOT TO BLOCK OR IMPED STORMWATER FLOW OR DRAINAGE. STAKED SILT FENCES SHALL BE REPLACED EVERY TWELVE (12) MONTHS OR WHEN IT HAS SERVED ITS USEFULNESS SO AS NOT TO BLOCK OR IMPED STORMWATER FLOW OR DRAINAGE. STABILIZED CONSTRUCTION ENTRANCES SHALL BE MAINTAINED TO PREVENT CLOGGING OF ROCK BEDDING WHICH MAY IMPED THE USEFULNESS OF THE STRUCTURE.

V. INSPECTION:

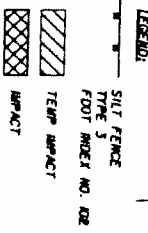
- (1) THE CONTRACTOR SHALL INSTALL AND MAINTAIN RAIN GAUGES ON THE PROJECT SITE AND RECORD WEEKLY RAINFALL IN ACCORDANCE WITH THE MPDS. ALL CONTROL MEASURES WILL BE MAINTAINED DAILY BY THE CONTRACTOR.
 - (2) ALL EROSION AND WATER POLLUTION ABATEMENT AND CONTROL MEASURES WILL BE INSPECTED DAILY BY CONTRACTOR'S PERSONNEL WHO ARE F.O.D.E.P. CERTIFIED STORMWATER MANAGEMENT INSPECTORS.
 - (3) THE CONTRACTOR SHALL COMPLETE ALL SWPPP INSPECTION REPORT FORMS REQUIRED FOR THE MPDS PERMIT.
- VI. TRACKING AND REPORTING:
- (1) THE CONTRACTOR SHALL SUBMIT A WEEKLY REPORT TO THE DEPARTMENT DOCUMENTING THE DAILY INSPECTIONS AND MAINTENANCE OR REPAIRS TO THE SEDIMENT CONTROL DEVICES. THE CONTRACTOR SHALL MAINTAIN ALL REQUIRED REPORTS AND COMPLETE ALL SWPPP INSPECTION FORMS.
 - (2) PREPARATION OF ALL THE CONTRACTOR'S REPORTS OF INSPECTION, MAINTENANCE AND REPAIRS REQUIRED INDIVIDUAL COSTS OF THE EROSION CONTROL DEVICES.
 - (3) THE CONTRACTOR SHALL USE THE CONSTRUCTION INSPECTION REPORT (CIR 630-040-03), FOR DAILY INSPECTIONS.

DATE		REVISIONS		REVISIONS		REVISIONS	
DATE	REVISIONS	DATE	REVISIONS	DATE	REVISIONS	DATE	REVISIONS
 <p>Florida Water Pollution Prevention Department of the State 100 West Washington Blvd., Suite 1000 Tallahassee, FL 32304-1000 Tel: 904-438-4000 Fax: 904-438-4001 www.fl.waterpollution.com</p>				<p>STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION ROAD NO. COUNTY FINANCIAL PROJECT ID CIR-105 VARIES 41294-2-22-01</p>			
<p>STORM WATER POLLUTION PREVENTION PLAN</p>							
						SHEET NO. SP-2	

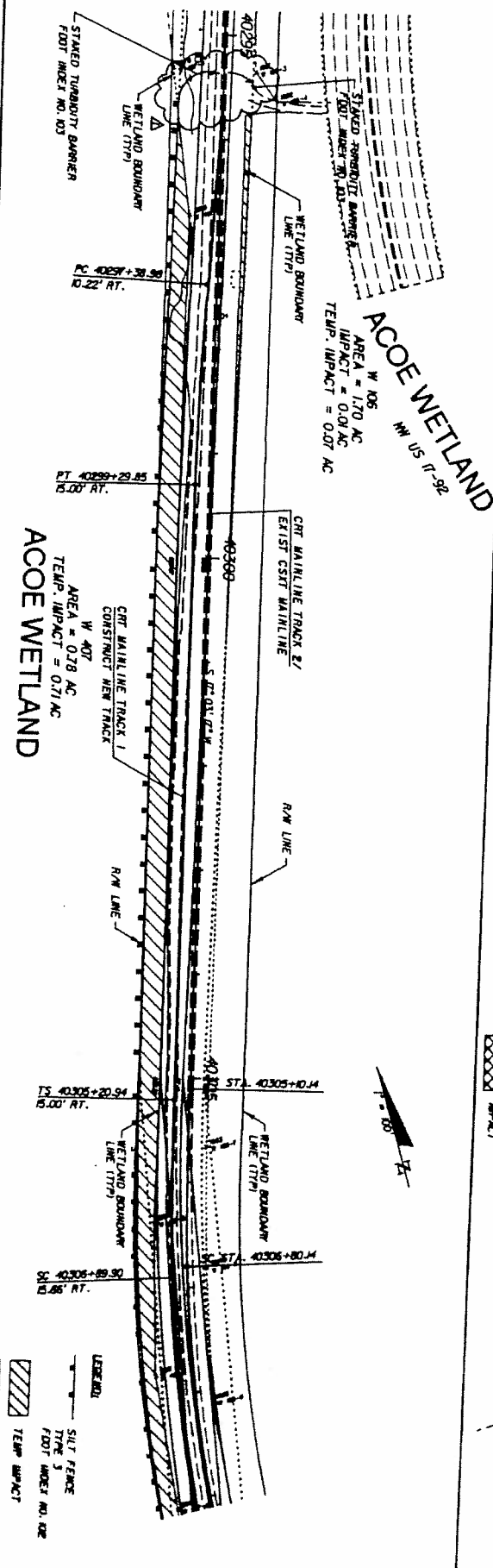
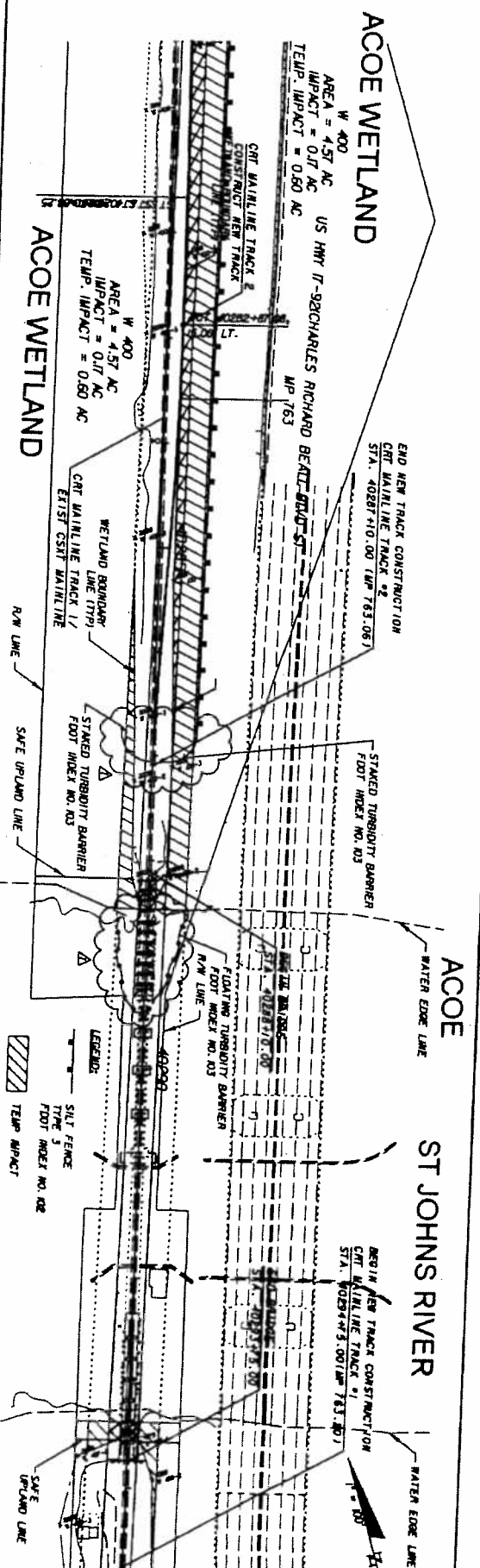
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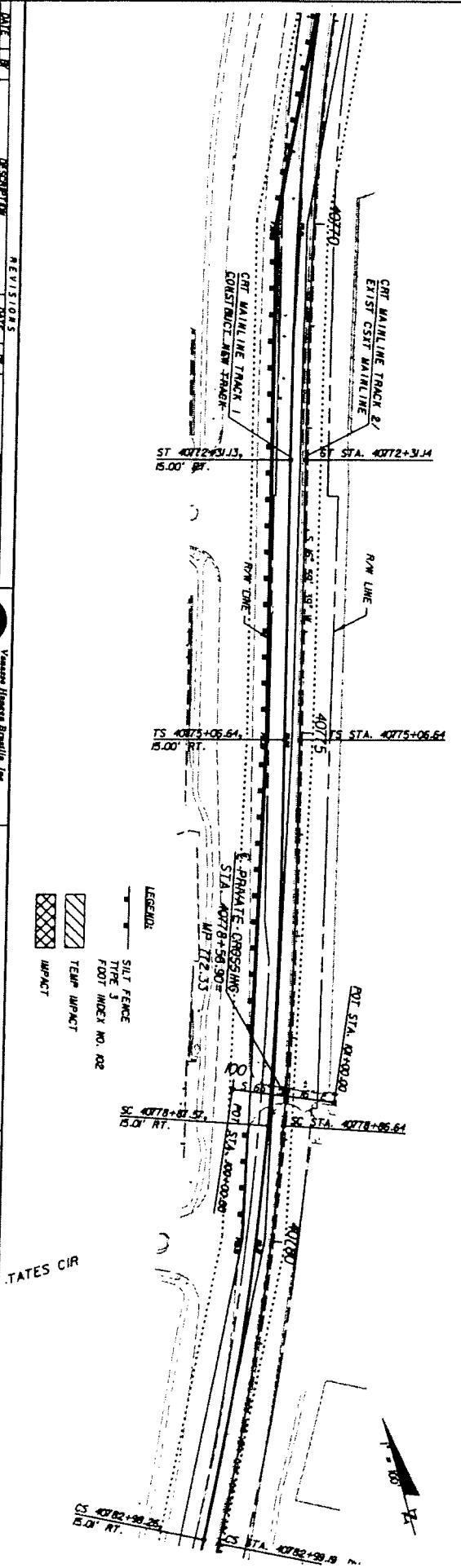
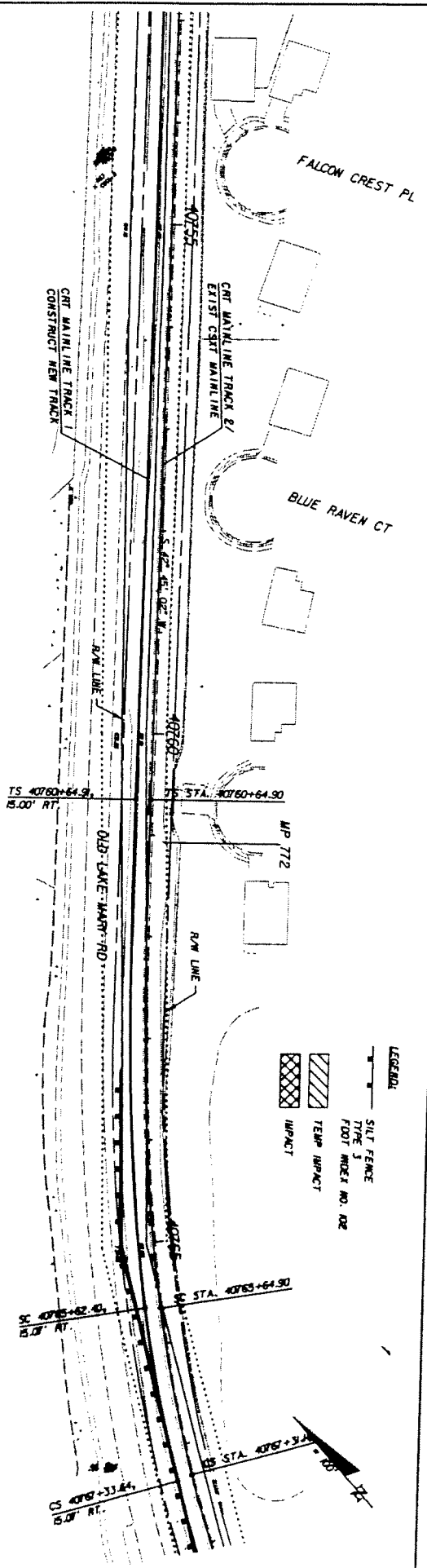
DATE		REVISIONS		DATE		REVISION	
<p>Vascular Health Research, Inc. 17000 North Central Expressway Suite 100 Dallas, TX 75241-1000 Tel: (214) 343-1000 Fax: (214) 343-1001 E-mail: info@vhr.com Web: www.vhr.com</p>							
<p>STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION</p>				<p>ROAD NO. COUNTY PROJECT NO.</p>			
<p>CR-105 FLORIDA 412394-2-22-01</p>				<p>WETLAND IMPACTS / SWPPP</p>			
<p>SP-3</p>				<p>SHEET NO.</p>			




DATE	BY	DESCRIPTION	REVISIONS	DATE	BY	DESCRIPTION
1/27/03	MAS	DESIGN CLARIFICATIONS				

 VHB INC.		STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION	
ROAD NO. CRT-KOS	COUNTY SEMINOLE	PROJECT NO. 41294-2-22-01	SHEET NO. SP-5

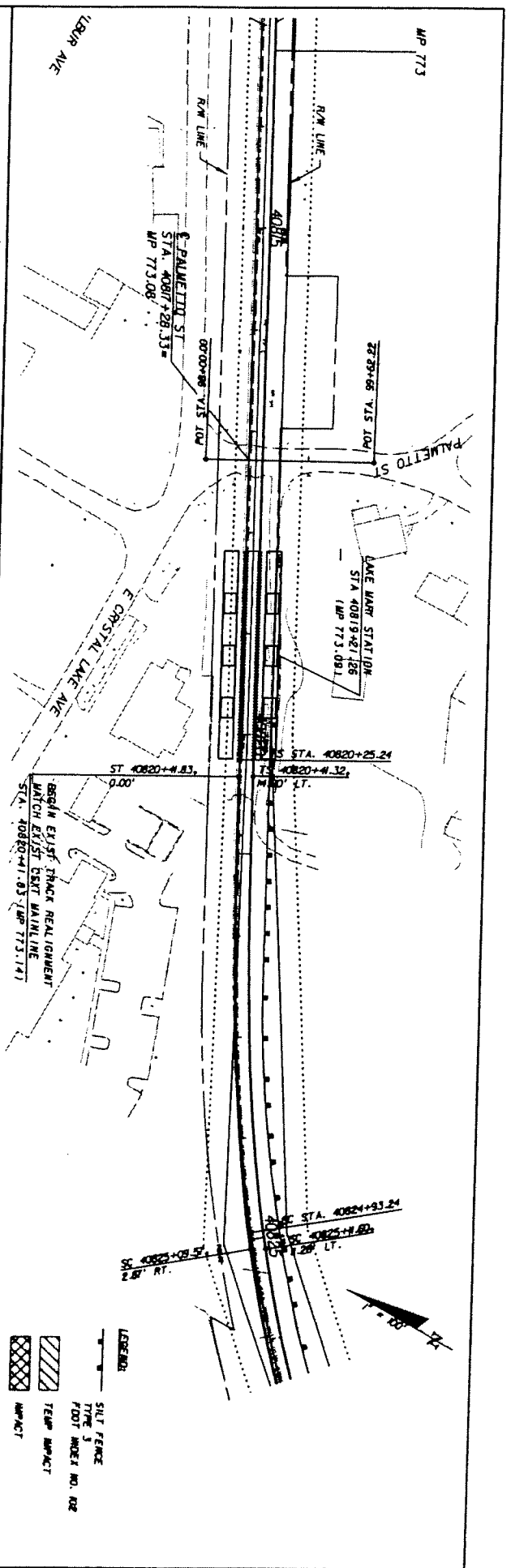
WETLAND IMPACTS / SWPPP



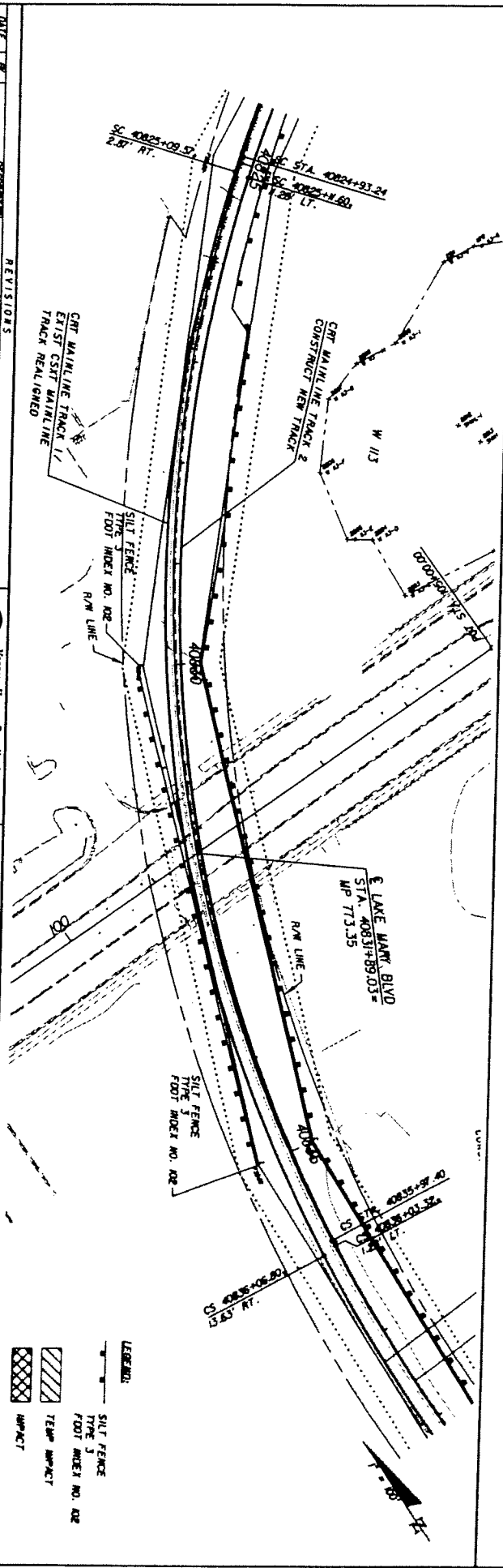
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DATE	NO.	DATE	NO.	DESCRIPTION	

 VPI VPI Engineering, Inc. 11000 E. Highway 100, Suite 100 Denver, CO 80231 Tel: 303.751.1000 Fax: 303.751.1001 www.vpi-engineering.com		STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION ROAD NO. 407 COUNTY SEMINOLE FINANCIAL PROJECT NO. 412994-2-22-01	
WETLAND IMPACTS / SWPPP		SHEET NO. SP-4	

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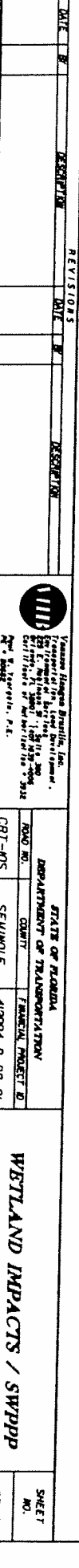
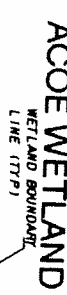
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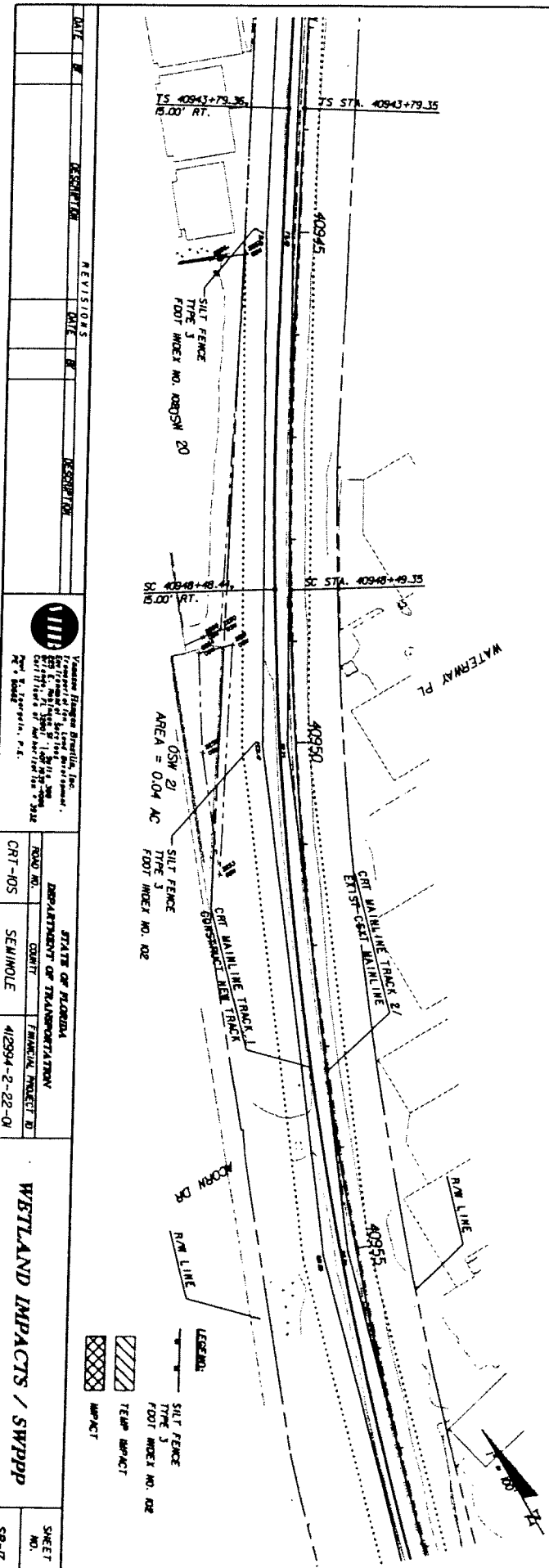
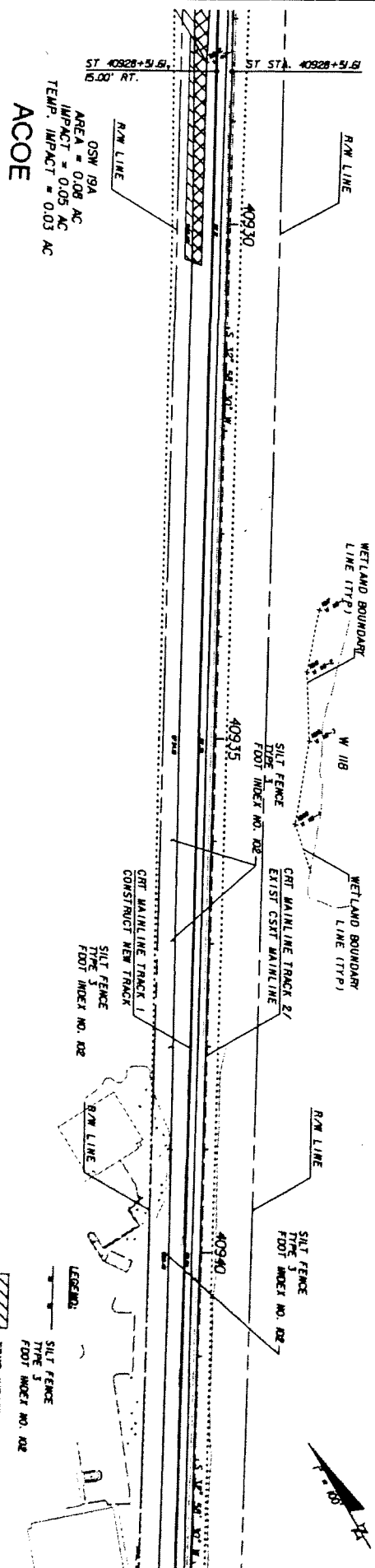
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 - TEMP IMPACT
 - IMPACT

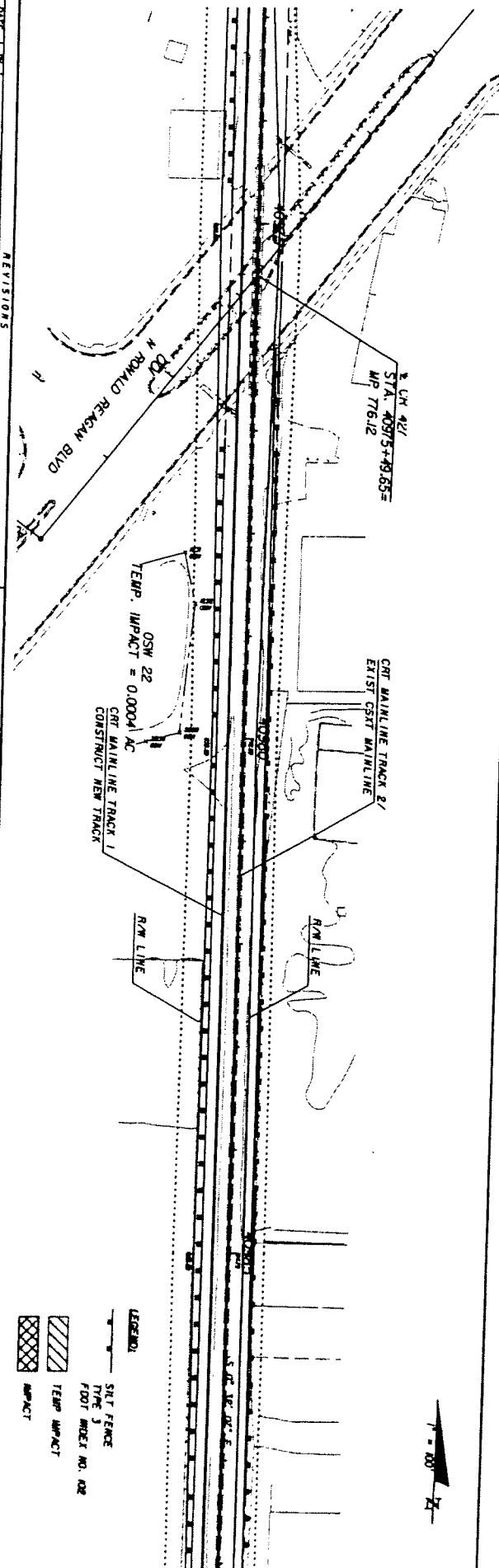
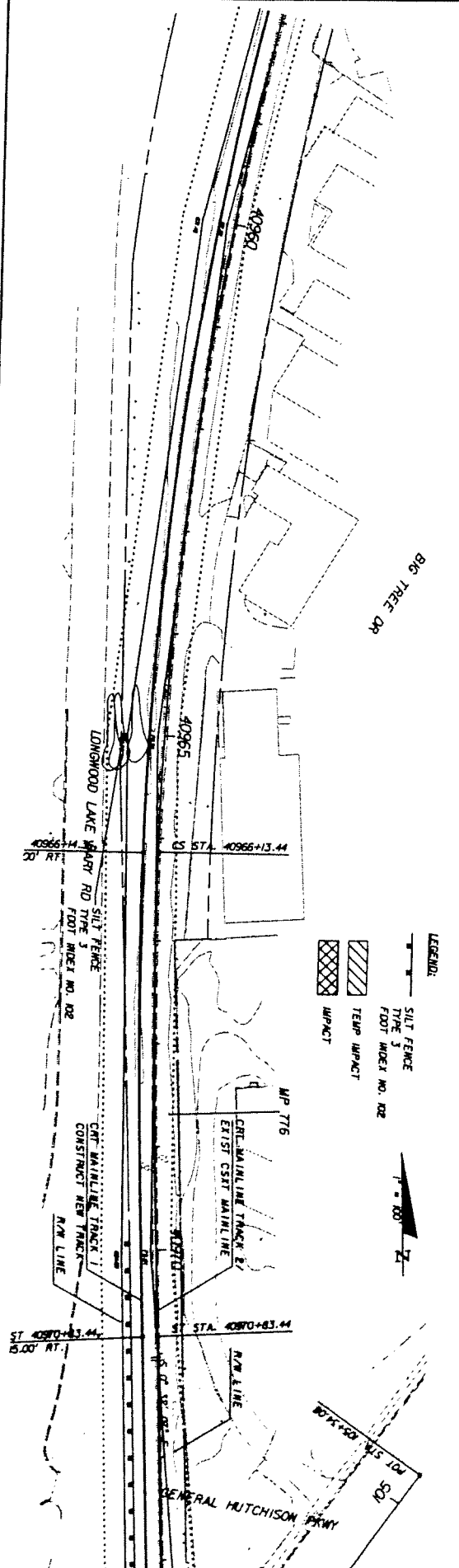
DATE		REVISIONS		DESCRIPTION	
DATE	BY	DATE	BY	DATE	BY
 VHB Virginia Highway Builders, Inc. 100 E. Main Street, Suite 100 Charlottesville, VA 22901 Tel: 800.828.8282					
STATE OF FLORIDA		DEPARTMENT OF TRANSPORTATION		ROAD NO.	
COUNTY		FRANCIS PROJECT ID		CRIT-105	
SEMIWOLE		41294-2-22-01		SHEET NO.	
WETLAND IMPACTS / SWPPP				SP-15	

2



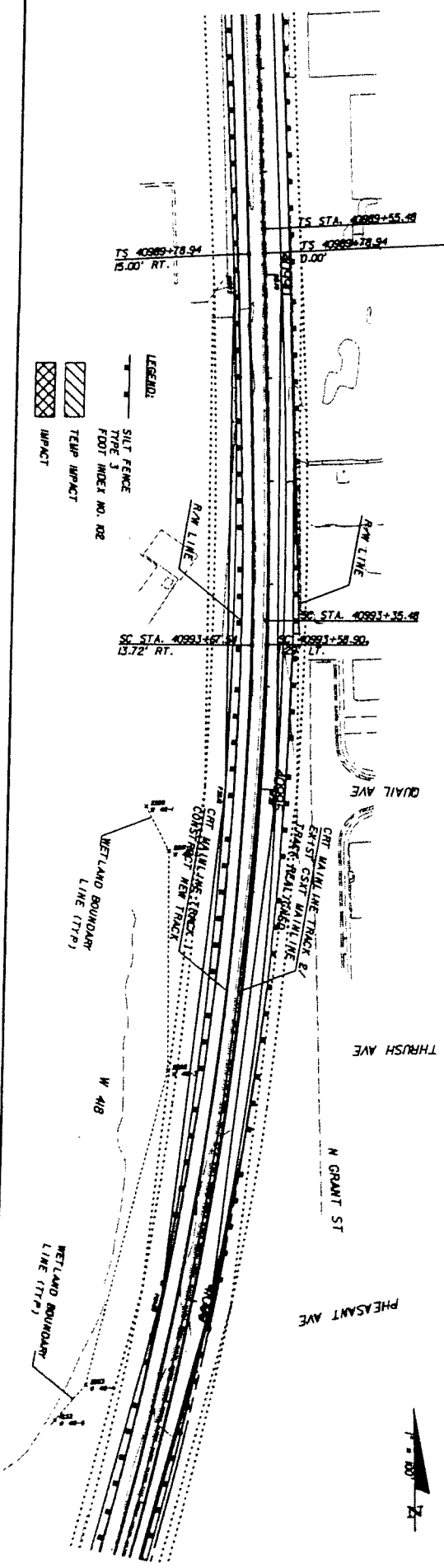
DATE	BY	REVISION	DATE	BY	REVISION	 <p>Villalobos Engineering & Construction, Inc. 10000 West 10th Avenue, Suite 100 Denver, CO 80231 Phone: (303) 751-1000 Fax: (303) 751-1001 E-mail: info@villalobos.com Website: www.villalobos.com</p> <p>Dr. B. Villalobos, P.E.</p>
STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION ROAD NO. COUNTY FISCAL PROJECT ID CRT-105 SEMINOLE 412394-2-22-01						
WESTLAND IMPACTS / SWPPP						
SHEET NO.						SP-15



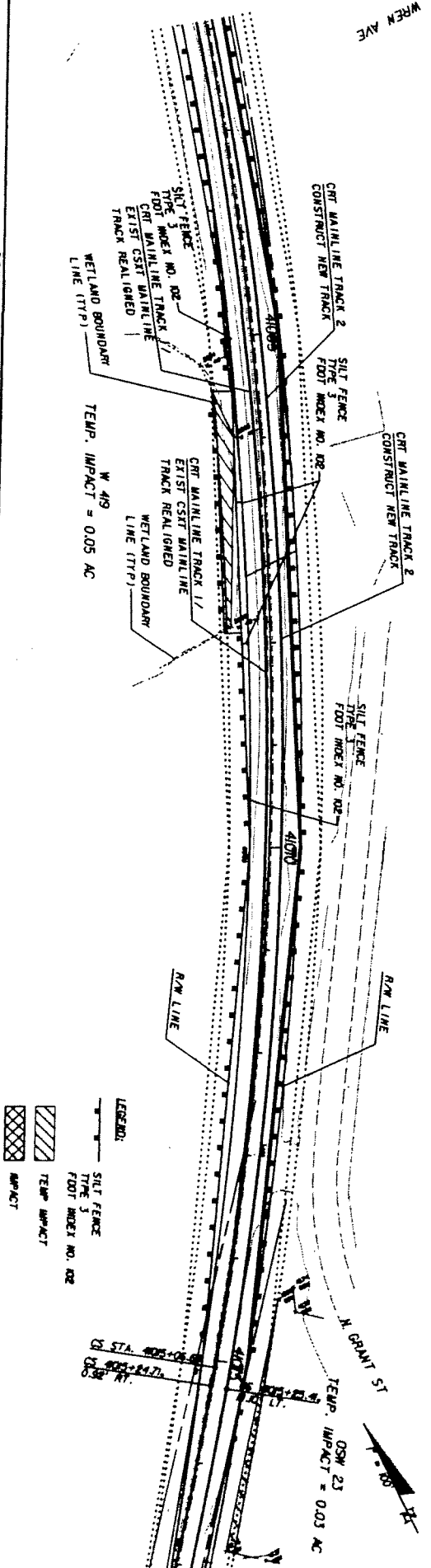


DATE	REVISION	DESCRIPTION	DATE	REVISION	DESCRIPTION
<p>VHB Vance Hampton Building, Inc. 10000 E. 1st Avenue, Suite 100 Denver, CO 80231 Tel: 303.755.1000 Fax: 303.755.1001 www.vhb.com</p>					
<p>STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION COUNTY: FRANKLIN PROJECT NO. 41294-2-22-01</p>					
<p>WETLAND IMPACTS / SWPPP</p>					
SHEET NO.					SP-18

BEGIN EXISTING TRACK REALIGNMENT
MATCH EXIST CSST MAINLINE
STA. 40889+78.94 (WP 776.39)



WREN AVE



REVISIONS		DESCRIPTION		DATE		BY		CHECKED		DATE		BY		CHECKED	
1															

STATE OF FLORIDA		DEPARTMENT OF TRANSPORTATION		ROAD NO.		COUNTY		FINANCIAL PROJECT NO.		CRIT-105		SEMI-NOLE		410394-2-22-01	
<p>WETLAND IMPACTS / SWPPP</p>															
														SHEET NO.	
														SP-19	

Thomas Hanger Bros. Inc.
10000 N. W. 11th Ave.
Miami, FL 33150
Tel: 305-551-1111
Fax: 305-551-1112
www.thomashanger.com

Wetland Impacts / SWPPP
Project No. 410394-2-22-01
Sheet No. SP-19

Wetland Impacts / SWPPP
Project No. 410394-2-22-01
Sheet No. SP-19

ST STA. 4008+95.69
ST 4009+04.73
0.00'

ST 4009+04.73
100.00'

ST STA. 4030+95.67
ST 4030+95.67
0.00'

LEGEND:

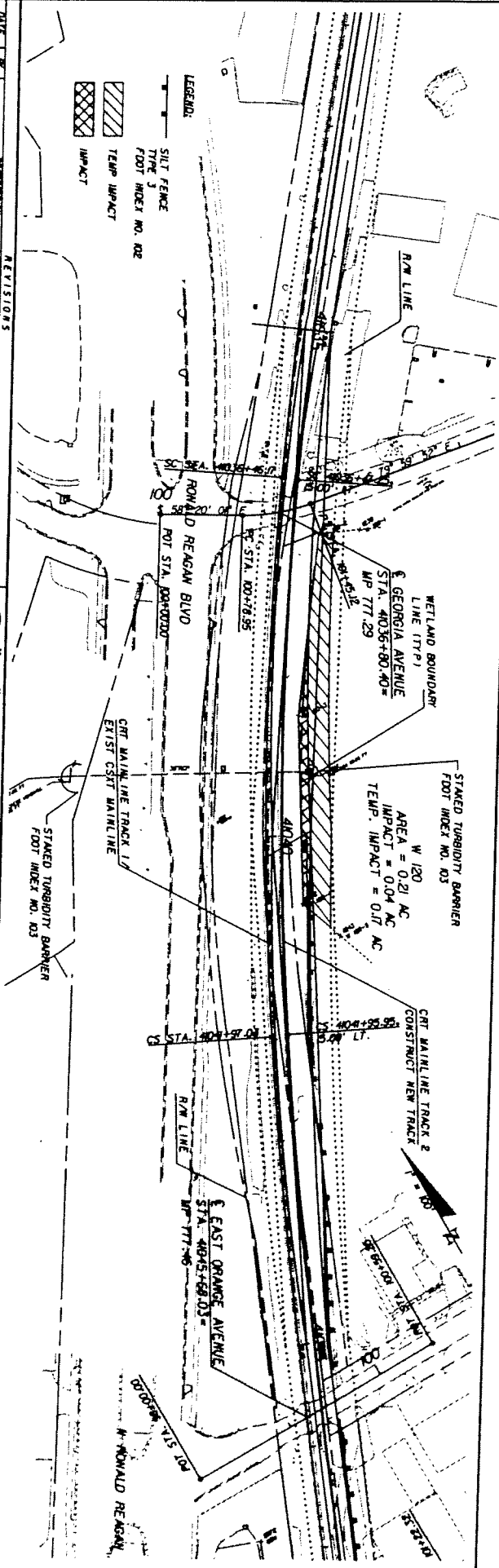
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- TEMP IMPACT
- IMPACT


CUT MAINLINE TRACK 1/2
EXIST CSXT MAINLINE

R/W LINE

OSW 24
TEMP. IMPACT = 0.04 AC

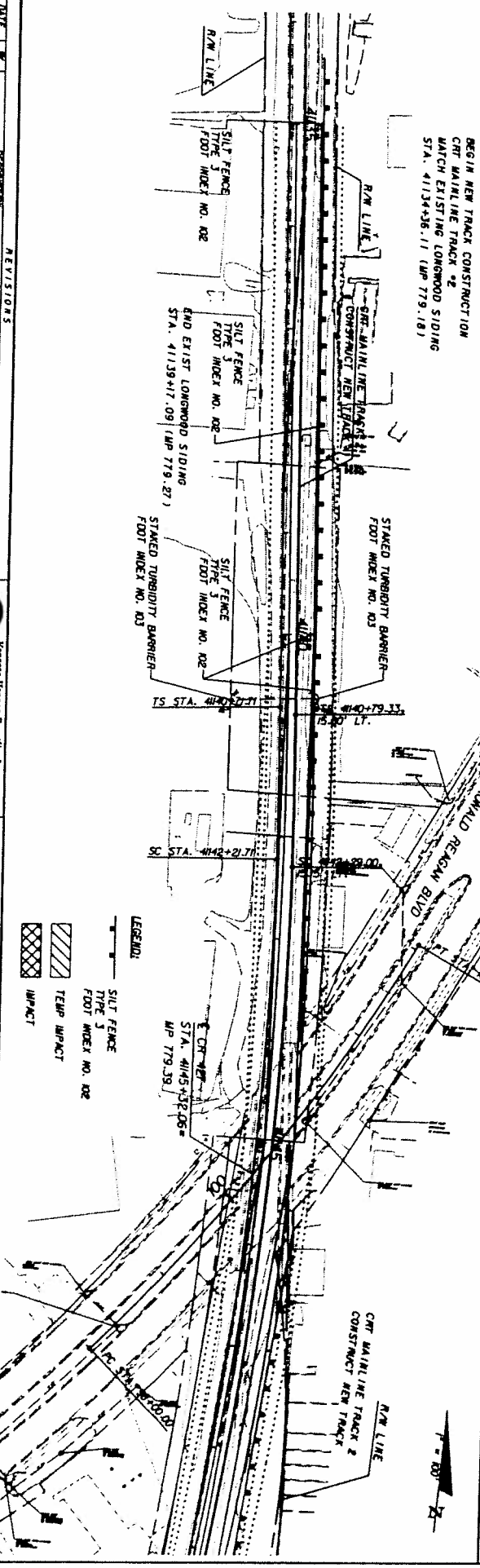
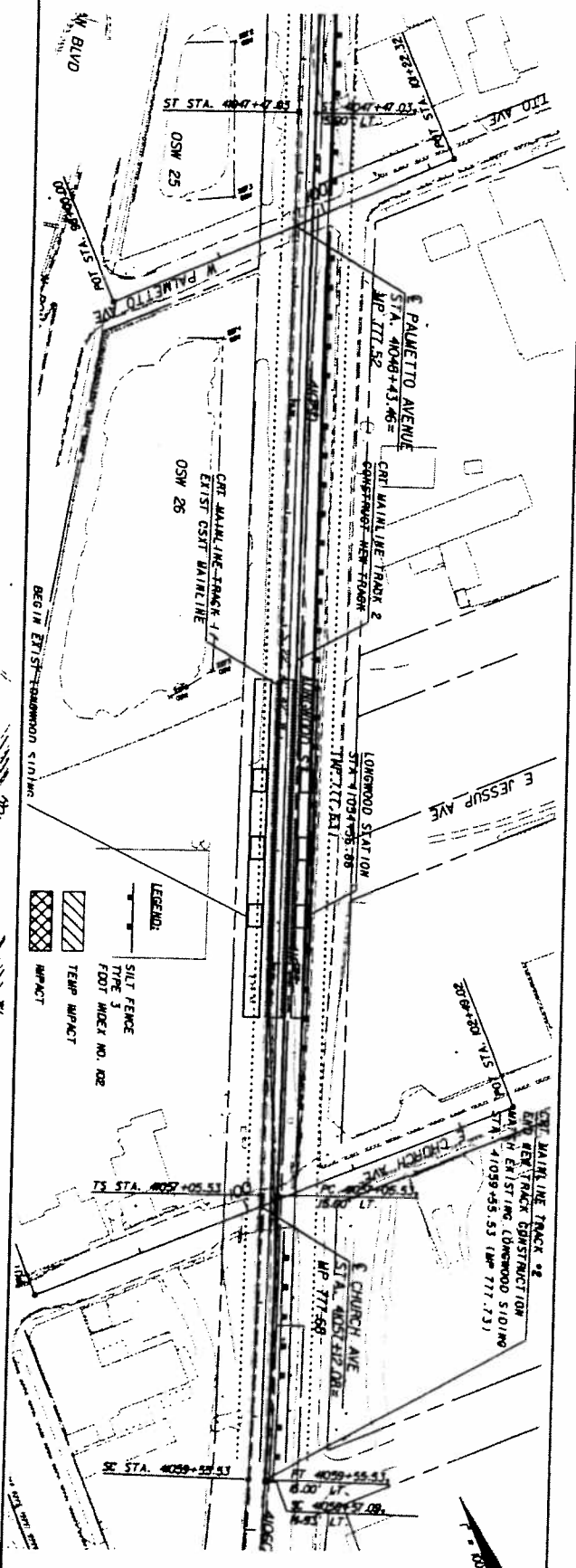
END EXISTING TRACK REALIGNMENT
MATCH EXISTING CSXT MAINLINE
STA. 41018+04.73 (IMP 718.981)



DATE	DATE	DATE	DATE
12/20/2011	12/20/2011	12/20/2011	12/20/2011
 Florida Department of Transportation Bureau of Transportation Planning 1229 North Florida Avenue Tallahassee, Florida 32304 Phone: 904/438-3000 Fax: 904/438-3001 Email: info@fdot.com			
PROJECT NAME: WESTLAND IMPACTS / SWPPP PROJECT NO.: 412904-2-22-01 SHEET NO.: 1			

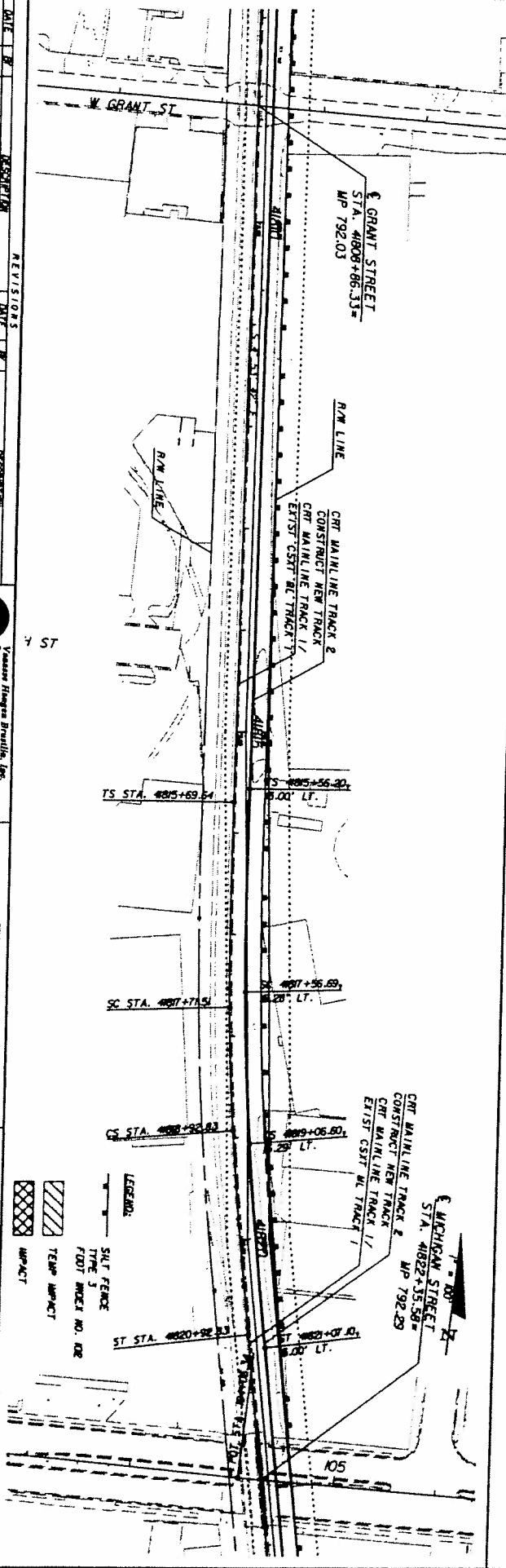
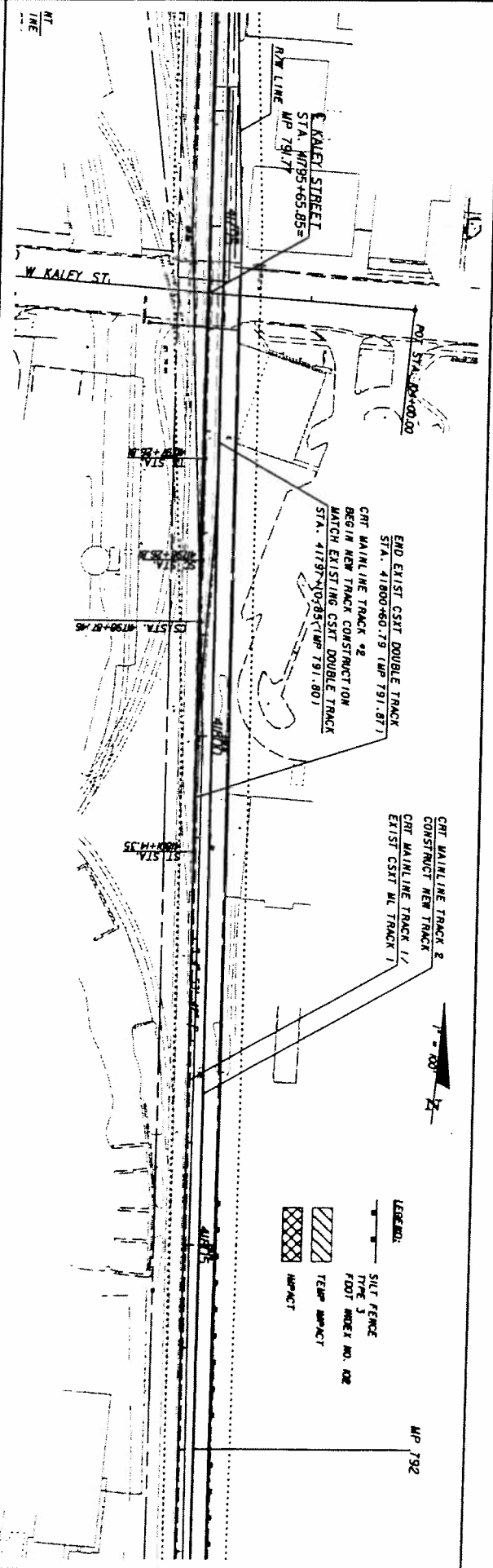
WETLAND IMPACTS / SWPPP

SP-20

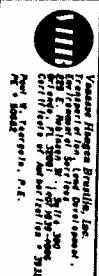


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DATE: 11/11/03
 DRAWN BY: J. B. BROWN
 CHECKED BY: J. B. BROWN
 APPROVED BY: J. B. BROWN
 PROJECT NO.: 410394-2-22-01
 SHEET NO.: SP-21



DATE		REVISIONS		DESCRIPTION	
DATE	BY	DATE	BY	DESCRIPTION	REVISIONS

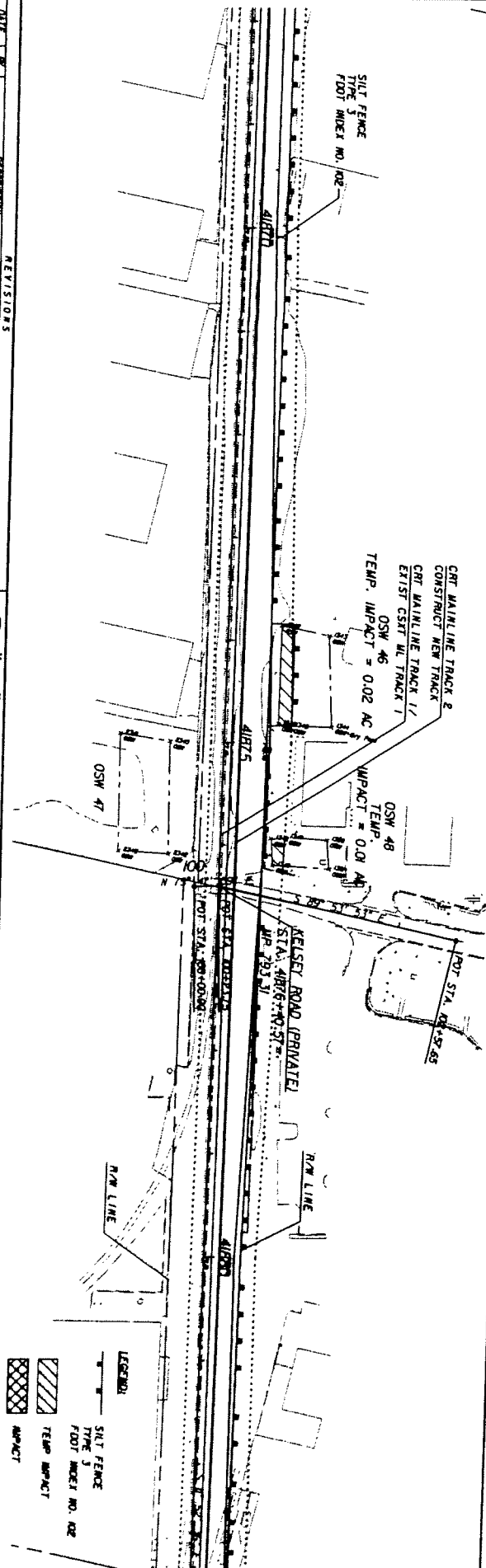
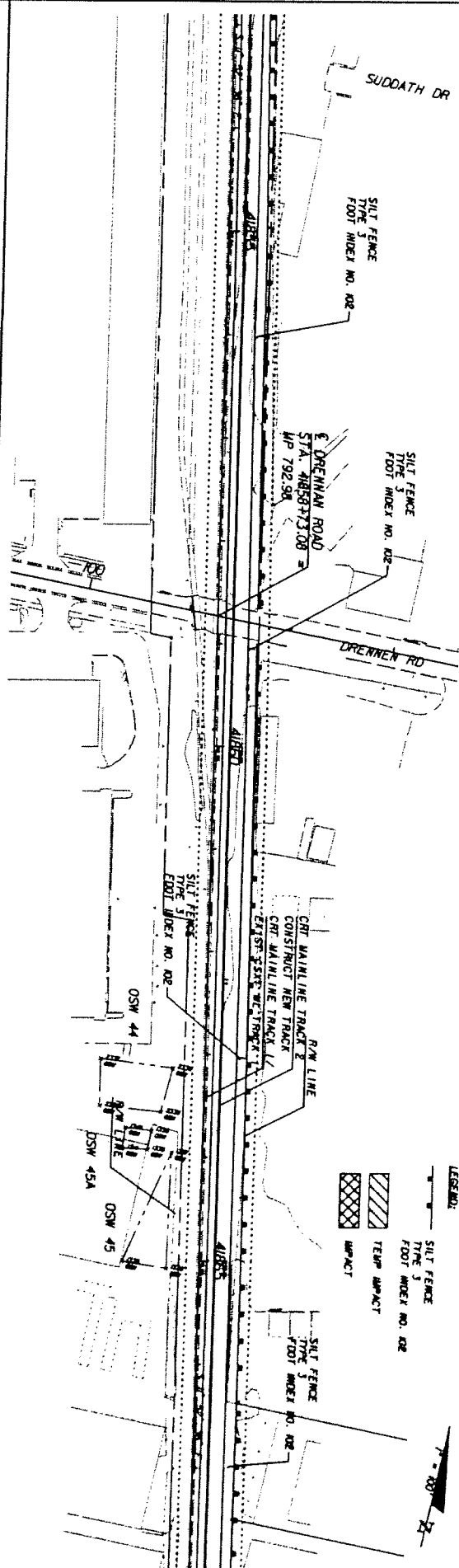


Virginia Interstate Bridge Authority, Inc.
A Division of the Virginia Department of Transportation
1000 North 1st Street, Suite 100
Richmond, Virginia 23219-1000
Tel: 804/771-1000
Fax: 804/771-1001


STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION
COUNTY
FINANCIAL PROJECT ID
CR1-105 ORANGE 412994-2-22-01

WETLAND IMPACTS / SWPPP

SHEET NO. SP-28



DATE		REVISIONS		DESCRIPTION		DATE		REVISIONS		DESCRIPTION	



Vannoy-Hendrix-Bentley, Inc.
10000 West 10th Avenue, Suite 100
Denver, CO 80231
303.750.0000
www.vhb.com

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION
ROAD NO. COUNTY FINANCIAL PROJECT NO.
CRT-105 ORANGE 412994-2-22-01

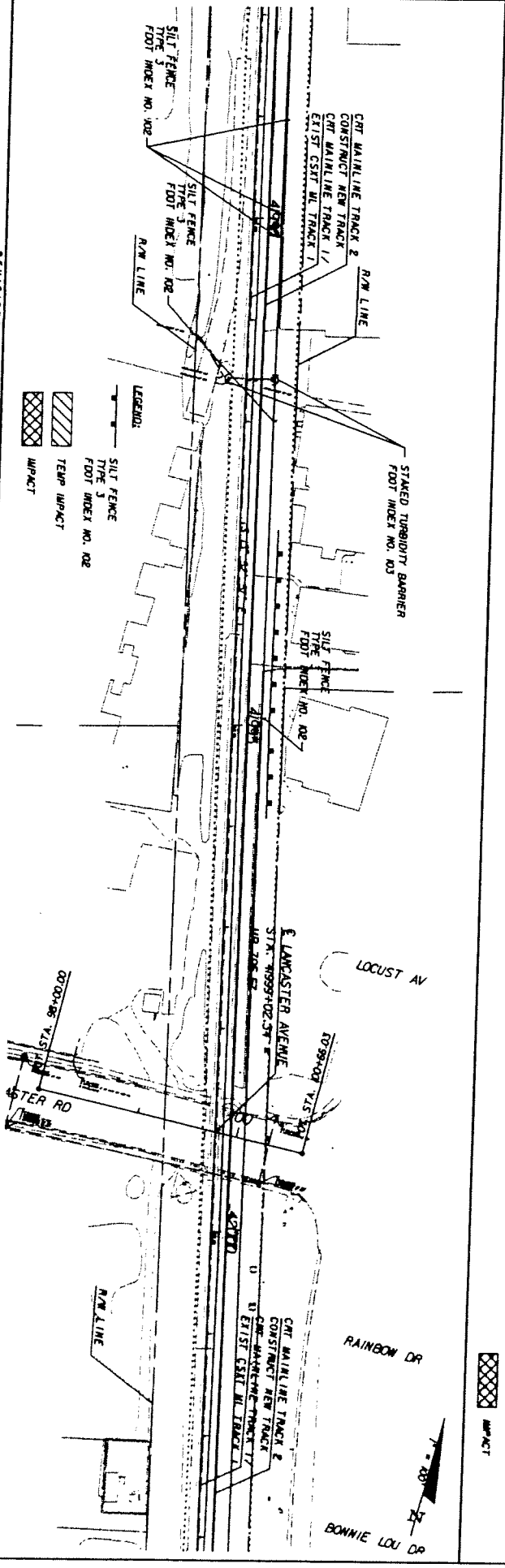
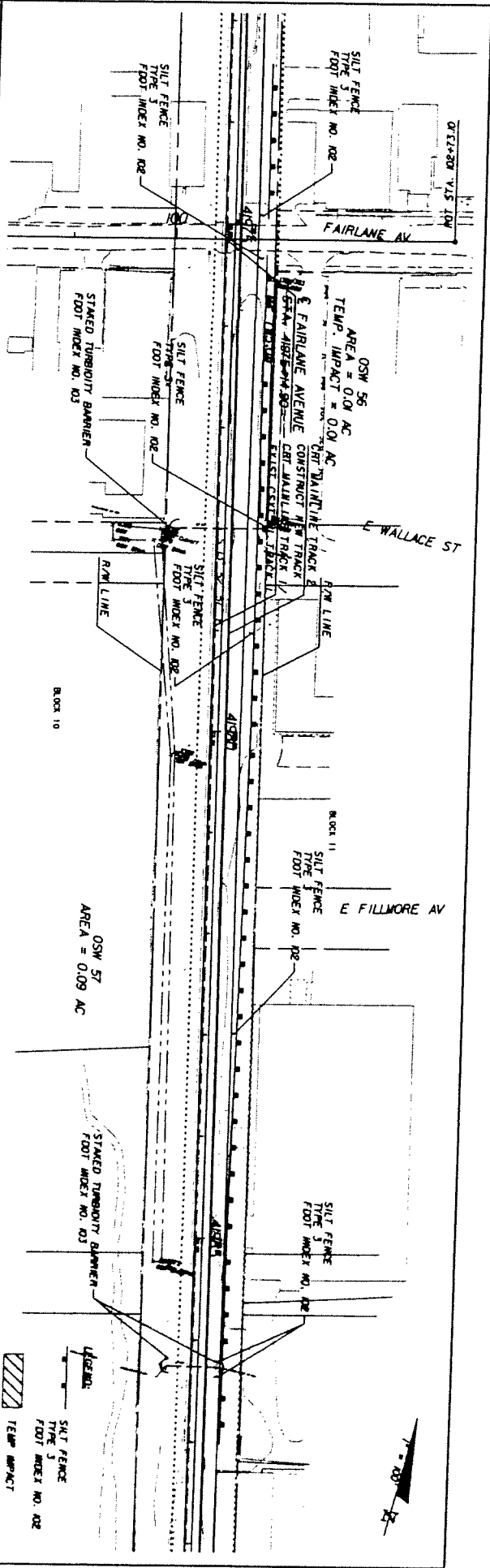
WETLAND IMPACTS / SWPPP

SHEET NO.
SP-30

7/26/2024

04:15 PM

PROJECT: 22-00000000-00



DATE	DESCRIPTION	REVISIONS	DATE	DESCRIPTION
<p>Thomas H. Brown, Inc. 10000 E. 1st Avenue, Suite 100 Denver, CO 80231 Tel: 303.751.1000 Fax: 303.751.1001 www.vhb.com</p>				
<p>STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION COUNTY OF ORANGE PROJECT NO. 41294-2-22-01</p>				
<p>WETLAND IMPACTS / SWPPP</p>				
<p>SHEET NO. SP-34</p>				



STANDARD PROTECTION MEASURES FOR THE EASTERN INDIGO SNAKE

1. An eastern indigo snake protection/education plan shall be developed by the applicant or requestor for all construction personnel to follow. The plan shall be provided to the Service for review and approval at least 30 days prior to any clearing activities. The educational materials for the plan may consist of a combination of posters, videos, pamphlets, and lectures (*e.g.*, an observer trained to identify eastern indigo snakes could use the protection/education plan to instruct construction personnel before any clearing activities occur). Informational signs should be posted throughout the construction site and along any proposed access road to contain the following information:
 - a. a description of the eastern indigo snake, its habits, and protection under Federal Law;
 - b. instructions not to injure, harm, harass or kill this species;
 - c. directions to cease clearing activities and allow the eastern indigo snake sufficient time to move away from the site on its own before resuming clearing; and,
 - d. telephone numbers of pertinent agencies to be contacted if a dead eastern indigo snake is encountered. The dead specimen should be thoroughly soaked in water and then frozen.
2. If not currently authorized through an Incidental Take Statement in association with a Biological Opinion, only individuals who have been either authorized by a section 10(a)(1)(A) permit issued by the Service, or by the State of Florida through the Florida Fish Wildlife Conservation Commission (FWC) for such activities, are permitted to come in contact with an eastern indigo snake.
3. An eastern indigo snake monitoring report must be submitted to the appropriate Florida Field Office within 60 days of the conclusion of clearing phases. The report should be submitted whether or not eastern indigo snakes are observed. The report should contain the following information:
 - a. any sightings of eastern indigo snakes and
 - b. other obligations required by the Florida Fish and Wildlife Conservation Commission, as stipulated in the permit.

Revised February 12, 2004

U.S. Army Corps of Engineers
Permit # SAF-2007-6618
Date: 10/29/08
Attachment: 2



STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

July 2005

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the FWC Hotline at 1-888-404-FWCC. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-232-2580) for north Florida or Vero Beach (1-561-562-3909) for south Florida.
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Awareness signs that have already been approved for this use by the Florida Fish and Wildlife Conservation Commission (FWC) must be used. One sign measuring at least 3 ft. by 4 ft. which reads *Caution: Manatee Area* must be posted. A second sign measuring at least 8 1/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities.

U.S. Army Corps of Engineers
Permit # SAT-2007-6618
Date: 10/29/08
Attachment: 3



FWC Approved Manatee Educational Sign Suppliers

ASAP Signs & Designs

624-B Pinellas Street
Clearwater, FL 33756
Phone: (727) 443-4878
Fax: (727) 442-7573

Wilderness Graphics, Inc.

P. O. Box 1635
Tallahassee, FL 32302
Phone: (850) 224-6414
Fax: (850) 561-3943
www.wildernessgraphics.com

Cape Coral Signs & Designs

1311 Del Prado Boulevard
Cape Coral, FL 33990
Phone: (239) 772-9992
Fax: (239) 772-3848

Municipal Supply & Sign Co.

1095 Fifth Avenue, North
P. O. Box 1765
Naples, FL 33939-1765
Phone: (800) 329-5366 or
(239) 262-4639
Fax: (239) 262-4645
www.municipalsigns.com

Vital Signs

104615 Overseas Highway
Key Largo, FL 33037
Phone: (305) 451-5133
Fax: (305) 451-5163

Universal Signs & Accessories

2912 Orange Avenue
Ft. Pierce, FL 34947
Phone: (800) 432-0331 or
(772) 461-0665
Fax: (772) 461-0669

New City Signs

1829 28th Street North
St. Petersburg, FL 33713
Phone: (727) 323-7897
Fax: (727) 323-1897

United Rentals Highway Technologies

309 Angle Road
Ft. Pierce, FL 34947
Phone: (772) 489-8772
or (800) 489-8758 (FL only)
Fax: (772) 489-8757

CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

**When a manatee is within 50 feet of work
all in-water activities must**

SHUT DOWN

Report any collision or injury to:

1-888-404-FWCC (1-888-404-3922)

Florida Fish and Wildlife Conservation Commission

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
Post Office Box 1429
Palatka, Florida 32178-1429

PERMIT NO. 4-095-114454-1

DATE ISSUED: October 14, 2008

PROJECT NAME: Central Florida Commuter Rail Transit - Phase 1

A PERMIT AUTHORIZING:

Construction of a surface water management system for the Central Florida Commuter Rail Transit - Phase 1, a 203.66-acre project. This permit also authorizes work in, on, or over 7.44 acres of wetlands or other surface waters (rail-side ditches).

LOCATION:

Section(s):	9, 16	Township(s):	19S	Range(s):	30E
	9, 10, 16, 20, 21,		20S		30E
	29, 32				
	25		21S		29E
	7, 18, 19		21S		30E
	2, 11, 13, 14, 24,		23S		29E
	25				

Orange, Seminole, Volusia Counties

ISSUED TO:

FL Dept Of Transportation - District 5
719 S Woodland Blvd.
Deland, FL 32720

Permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.

This permit does not convey to permittee any property rights nor any rights of privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by permittee hereunder shall remain the property of the permittee.

This permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes:

PERMIT IS CONDITIONED UPON:

See conditions on attached "Exhibit A", dated October 14, 2008

AUTHORIZED BY: St. Johns River Water Management District

Department of Water Resources

Governing Board

By: _____

Jeff Eledge
(Director)

By: _____

Kirby B. Green III
(Assistant Secretary)

U.S. Army Corps of Engineers
Permit # SAS-2007-6618
Date: 10/29/08
Attachment: 4



"EXHIBIT A"
CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 4-095-114454-1
FL DEPT OF TRANSPORTATION - DISTRICT 5
DATED OCTOBER 14, 2008

1. All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.
2. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by District staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
3. Activities approved by this permit shall be conducted in a manner which do not cause violations of state water quality standards.
4. Prior to and during construction, the permittee shall implement and maintain all erosion and sediment control measures (best management practices) required to retain sediment on-site and to prevent violations of state water quality standards. All practices must be in accordance with the guidelines and specifications in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988), which are incorporated by reference, unless a project specific erosion and sediment control plan is approved as part of the permit, in which case the practices must be in accordance with the plan. If site specific conditions require additional measures during any phase of construction or operation to prevent erosion or control sediment, beyond those specified in the erosion and sediment control plan, the permittee shall implement additional best management practices as necessary, in accordance with the specifications in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988). The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.
5. Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 7 days after the construction activity in that portion of the site has temporarily or permanently ceased.
6. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the District a Construction Commencement Notice Form No. 40C-4.900(3) indicating the actual start date and the expected completion date.
7. When the duration of construction will exceed one year, the permittee shall submit construction status reports to the District on an annual basis utilizing an Annual Status Report Form No. 40C-4.900(4). These forms shall be submitted during June of each year.
8. For those systems which will be operated or maintained by an entity which will require an easement or deed restriction in order to provide that entity with the authority necessary to operate or maintain the system, such easement or deed restriction, together with any other final operation or maintenance documents as are required by subsections 7.1.1 through 7.1.4 of the Applicant's Handbook: Management and Storage of Surface Waters, must be submitted to the District for approval. Documents meeting the requirements set forth in these subsections of the Applicant's Handbook will be approved. Deed restrictions, easements and other operation and maintenance documents which require recordation either with the Secretary of State or the Clerk of the Circuit Court must be so recorded prior

to lot or unit sales within the project served by the system, or upon completion of construction of the system, whichever occurs first. For those systems which are proposed to be maintained by county or municipal entities, final operation and maintenance documents must be received by the District when maintenance and operation of the system is accepted by the local governmental entity. Failure to submit the appropriate final documents referenced in this paragraph will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system.

9. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by the portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to local government or other responsible entity.
10. Within 30 days after completion of construction of the permitted system, or independent portion of the system, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing As Built Certification Form 40C-1.181(13) or 40C-1.181(14) supplied with this permit. When the completed system differs substantially from the permitted plans, any substantial deviations shall be noted and explained and two copies of as-built drawings submitted to the District. Submittal of the completed form shall serve to notify the District that the system is ready for inspection. The statement of completion and certification shall be based on on-site observation of construction (conducted by the registered professional engineer, or other appropriate individual as authorized by law, or under his or her direct supervision) or review of as-built drawings for the purpose of determining if the work was completed in compliance with approved plans and specifications. As-built drawings shall be the permitted drawings revised to reflect any changes made during construction. Both the original and any revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor. The following information, at a minimum, shall be verified on the as-built drawings:
 1. Dimensions and elevations of all discharge structures including all weirs, slots, gates, pumps, pipes, and oil and grease skimmers;
 2. Locations, dimensions, and elevations of all filter, exfiltration, or underdrain systems including cleanouts, pipes, connections to control structures, and points of discharge to the receiving waters;
 3. Dimensions, elevations, contours, or cross-sections of all treatment storage areas sufficient to determine state-storage relationships of the storage area and the permanent pool depth and volume below the control elevation for normally wet systems, when appropriate;
 4. Dimensions, elevations, contours, final grades, or cross-sections of the system to determine flow directions and conveyance of runoff to the treatment system;
 5. Dimensions, elevations, contours, final grades, or cross-sections of all conveyance systems utilized to convey off-site runoff around the system;
 6. Existing water elevation(s) and the date determined; and Elevation and location of benchmark(s) for the survey.

11. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of general condition 9 above, the District determines the system to be in compliance with the permitted plans, and the entity approved by the District in accordance with subsections 7.1.1 through 7.1.4 of the Applicant's Handbook: Management and Storage of Surface Waters, accepts responsibility for operation and maintenance of the system. The permit may not be transferred to such an approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall request transfer of the permit to the responsible approved operation and maintenance entity, if different from the permittee. Until the permit is transferred pursuant to section 7.1 of the Applicant's Handbook: Management and Storage of Surface Waters, the permittee shall be liable for compliance with the terms of the permit.
12. Should any other regulatory agency require changes to the permitted system, the permittee shall provide written notification to the District of the changes prior implementation so that a determination can be made whether a permit modification is required.
13. This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and chapter 40C-4 or chapter 40C-40, F.A.C.
14. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities which may arise by reason of the activities authorized by the permit or any use of the permitted system.
15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this permit or a formal determination under rule 40C-1.1006, F.A.C., provides otherwise.
16. The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of rule 40C-1.612, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.
17. Upon reasonable notice to the permittee, District authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with the plans and specifications approved by the permit.
18. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the District.
19. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
20. This permit for construction will expire five years from the date of issuance.
21. At a minimum, all retention and detention storage areas must be excavated to rough grade prior to building construction or placement of impervious surface within the area to be served by those facilities. To prevent reduction in storage volume and percolation rates, all accumulated sediment must be removed from the storage area prior to final grading and stabilization.

22. All wetland areas or water bodies that are outside the specific limits of construction authorized by this permit must be protected from erosion, siltation, scouring or excess turbidity, and dewatering.
23. Prior to construction, the permittee must clearly designate the limits of construction on-site. The permittee must advise the contractor that any work outside the limits of construction, including clearing, may be a violation of this permit.
24. This permit authorizes construction in accordance with the plans and calculations received by the District on December 12, 2007, March 27, 2008, August 15, 2008, September 26, 2008, and October 1, 2008.

25. The operation and maintenance entity shall inspect the stormwater or surface water management system once within two years after the completion of construction and every two years thereafter to determine if the system is functioning as designed and permitted. The operation and maintenance entity must maintain a record of each required inspection, including the date of the inspection, the name, address, and telephone number of the inspector, and whether the system was functioning as designed and permitted, and make such record available for inspection upon request by the District during normal business hours.

If at any time the system is not functioning as designed and permitted, then within 14 days the entity shall submit an Exceptions Report to the District, on form number 40C-42.900(6), Exceptions Report for Stormwater Management Systems Out of Compliance.

26. During the bridge construction activities, the permittee must monitor turbidity at the following locations:
- a. Within the St. Johns River immediately upstream of the easternmost turbidity control measure (background sample).
 - b. Within the St. Johns River immediately downstream of the westernmost turbidity control measure.

The background sample must not be taken within any visible plume. Samples must be collected two times daily with a morning and afternoon sample at least four hours apart during the bridge construction activities.

27. Before removal of the turbidity control measures, the turbidity levels within the area surrounded by the turbidity control measures must be sampled to ensure no release of turbid water once the turbidity control measures are removed. The turbidity control measures may not be removed until the sample data indicates levels that do not exceed the State Water Quality Standards. This sample data must be included within the weekly turbidity data report.
28. If at any time the downstream turbidity level exceeds the State Water Quality Standards, then all measures required to reduce the turbidity including stopping all bridge construction activities, must be taken. Bridge construction must not resume until the turbidity has returned to acceptable levels. Any such violation must be reported immediately to the District's Altamonte Springs Service Center.
29. All turbidity data must be submitted to the District's Altamonte Springs Service Center weekly. The data must contain the following information:

- permit number;

- date and time of sampling and analysis;
- statement describing collection, handling, storage, and analysis methods;
- a map indicating the location of the samples taken;
- depth of sample;
- antecedent weather conditions; and,
- tidal stage and/or flow direction.

30. Mitigation to offset the 6.173 acres of impacts to wetlands and other surface waters within the Wekiva river Nested basin (15) and St Johns River (Canaveral Marshes to Wekiva River) basin (18) authorized by this permit will be provided through Section 373.4137, F.S. Any construction in wetlands shall not occur prior to the approval of the mitigation plan by the District's Governing Board.

31. Mitigation to offset the 1.747 acres of wetlands and other surface waters within the Lake Jesup basin (23) authorized by this permit will be provided through the acquisition, enhancement/restoration/preservation, and donation to the District of 8.3 acres of approximately 20 acres of property located on Elm Street in the Black Hammock area of Seminole County owned by Joanne W. Logue and identified by parcel numbers 25-20-31-5BA-181A, 25-20-31-5BA-182A, 25-20-31-5BA-183A, 25-20-31-5BA-183B, and 25-20-31-5BA-184A.

32. The permittee shall initiate the acquisition process prior to dredging, filling, or clearing of any wetland or surface water for which mitigation is required within the Lake Jesup basin (23). In the event that FDOT must use the power of eminent domain to acquire the property and the court determines that the eminent domain proceeding must be in the FDOT's name, rather than the District, FDOT will deed the property to the District within thirty (30) days of obtaining title thereto. In addition to acquiring the property, FDOT shall transfer to the District, at the time the District receives title to the property, the amount of \$50,000 to fund restoration and enhancement of the property, and the amount of \$500/acre for long term management of the property. If successful acquisition, transfer, and lump sum payment to the District has not occurred as stated above prior to October 1, 2009, the permittee must apply to the District for a permit modification no later than November 1, 2009. The application must include a narrative describing the status of the acquisition, transfer, and lump sum payment, and the anticipated closing date. If alternative mitigation is proposed, a detailed mitigation plan providing the relevant details specified in section 12.3, ERP A.H., must be provided.

33. Prior to the transfer, in fee simple, of the property, the permittee must furnish the following documents to the District for District review and approval:

- a. A signed and sealed survey of the property to be conveyed;
- b. Title insurance on the Tract A consisting of a Title Commitment naming the District as the proposed insured and a Title Insurance Policy naming the District as the beneficiary, or an equivalent demonstration of clear title;
- c. A Phase I Environmental Assessment of property;
- d. Proof of payment of all taxes, ad-valorem and non ad-valorem special assessments, prorated to the date of transfer pursuant to section 196.295, Florida Statutes.

34. If the Phase I Environmental Site Assessment identifies matters that warrant further investigation, the permittee is responsible for conducting all additional environmental assessments and taking all necessary actions, including remediation, necessary to bring the property into compliance with environmental law. Permittee is also responsible for removing all trash, rubbish, and debris from the property prior to transfer. This does not include removal of structures. All costs for the transfer of the property, including all documents to effectuate the transfer, environmental assessment and clean up costs, closing fees, document stamps, etc., are responsibility of the permittee.
35. To ensure the protection of manatees within the St Johns River bridge construction area, the permittee shall comply with the standard manatee construction conditions recommended by the Florida Department of Environmental Protection, Bureau of Protected Species Management. Specifically, the permittee shall comply with the following manatee protection construction conditions:
- a. The permittee shall instruct all personnel associated with the improvements to the St Johns River bridge of the potential presence of manatees and the need to avoid collisions with manatees. All construction personnel are responsible for observing water-related activities for the presence of manatee(s).
 - b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees, which are protected under the Marine Mammal Protection Act of 1972, The Endangered Species Act of 1973, and the Florida Manatees Sanctuary Act.
 - c. Siltation barriers shall be made of material in which manatees cannot become entangled, are properly secured, and are regularly monitored to avoid manatee entrapment. Barriers must not block manatee entry to or exit from essential habitat.
 - d. All vessels associated with the construction project shall operate at 'no wake/idle speeds at all times while in the construction area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
 - e. If manatee(s) are seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure protection of the manatee(s). These precautions shall include the operation of all moving equipment no closer than 50 feet of a manatee. Operation of any equipment closer than 50 feet to a manatee shall necessitate immediate shutdown of that equipment. Activities will not resume until the manatee(s) has departed the project area of its own volition.
 - f. A collision with and/or injury to a manatee shall be reported immediately to Florida Marine Patrol at 1-800-DIAL FMP (1-800-342-5367). Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-232-2580).
 - g. Temporary signs concerning manatees shall be posted prior to and during all construction/dredging activities. All signs are to be removed by the permittee upon completion of the project. A sign measuring at least 3 feet by 4 feet that reads **"Caution: Manatee Area"** will be posted in a location prominently visible to water-related construction crews. A second sign measuring at least 8 1/2 inches by 11 inches should be posted if vessels are associated with the construction, and should be placed visible to the vessel operator. The second sign should read *"Caution: Manatee Habitat. Idle speed is required if operating a vessel in the construction area. All equipment must be shutdown if a manatee comes within 50 feet of operation. A collision with and/or injury to a manatee shall be reported immediately to the Florida Marine Patrol at 1-800-DIAL FMP (1-800-342-5367). The U.S. Fish and Wildlife Service should also be contacted in Jacksonville at 1-904-232-2580."*

AS-BUILT CERTIFICATION BY PROFESSIONAL ENGINEER

Submit this form and one set of as-built engineered drawings to the U.S. Army Corps of Engineers, Enforcement Branch, Post Office Box 4970, Jacksonville, Florida 32232-0019. If you have questions regarding this requirement, please contact the Enforcement Branch at 904-232-2907.

1. Department of the Army Permit Number: _____
2. Permittee Information:

Name _____

Address _____

3. Project Site Identification:

Physical location/address _____

4. As-Built Certification:

I hereby certify that the authorized work has been accomplished in accordance with the Department of the Army permit with any deviations noted below. This determination is based upon on-site observation, scheduled and conducted by me or by a project representative under my direct supervision. I have enclosed one set of as-built engineering drawings.

Signature of Engineer

Name (Please type)

Florida Reg. Number

Company Name

Address

(Affix Seal)

City

State

ZIP

Date

Telephone Number

Deviations from the approved plans and specifications: (attach additional pages if necessary)

U.S. Army Corps of Engineers

Permit # SAJ-2007-6618

Date: 10/29/2008

Attachment: 5

